



# भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित  
PUBLISHED BY AUTHORITY

सं० 15]

नई दिल्ली, शनिवार, अप्रैल 14, 1984/चैत्र 25, 1906

No. 15]

NEW DELHI, SATURDAY, APRIL 14, 1984/CHAITRA 25, 1906

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके

Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों द्वारा जारी किये गये सांविधिक आदेश और अधिसूचनाएं  
Statutory Orders and Notifications issued by the Ministries of the Government of India  
(other than the Ministry of Defence)

जिम्मे, न्याय और कम्पनी कार्य मंत्रालय

(विधि कार्य विभाग)

नई दिल्ली, 21 मार्च, 1984

सूचना

का०आ० 1201.—नोटरीज नियम, 1956 के नियम 6 क के अनुसार  
में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री राधेश्याम जिन्दल,  
एडवोकेट, 103 भोपालवादी, उदयपुर राजस्थान ने उक्त प्राधिकारी  
को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया  
जाता है कि उसे उदयपुर में व्यवसाय करने के लिए नोटरी के रूप में  
नियुक्त किया जाए।

2. उक्त व्यक्ति की नोटरी के रूप में नियुक्ति पर किसी भी प्रकार  
का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में  
मेरे पास भेजा जाए।

[सं० 5(16)/84-न्या०]

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Department of Legal Affairs)

New Delhi, the 21st March, 1984

NOTICE

S.O. 1201.—Notice is hereby given by the Competent  
Authority in pursuance of rule 6 of the Notaries Rules,

1627 GI/83

1956, that application has been made to the said Authority,  
under rule 4 of the said Rules, by Shri Radhe Shyam Jindal,  
Advocate, 103 Bhopal Wadi Udaipur (Rajasthan) for ap-  
pointment as a Notary to practise in Udaipur.

2. Any objection to the appointment of the said person  
as a Notary may be submitted in writing to the undersigned  
within fourteen days of the publication of this Notice.

[No. F. 5(16)/84-Judl.]

नई दिल्ली, 29 मार्च, 1984

सूचना

का०आ० 1202.—नोटरीज नियम, 1956 के नियम 6-क के अनुसार  
में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री हनुमान सिंह बेनीवास,  
एडवोकेट, पो० ओ० भद्रा 335501, जिला श्रीगंगानगर ने उक्त प्राधिकारी  
को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए  
दिया जाता है कि उसे नोहर मख डिवीजन में व्यवसाय करने के लिए नोटरी  
के रूप में नियुक्त किया जाए।

2. उक्त व्यक्ति की नोटरी के रूप में नियुक्ति पर किसी भी प्रकार  
का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित  
रूप में मेरे पास भेजा जाए।

[सं० 5(21)/84-न्या०]

एस० गुप्त, सक्षम प्राधिकारी

(1065)

New Delhi, the 29th March, 1984

## NOTICE

S.O. 1202.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Rules, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Shri Hanuman Singh Beniwal Advocate, P.O. Bhadra-335501, Dist. Sri Ganganagar (Rajasthan) for appointment as a Notary to practise in Nahar Sub-division.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(21)/84-Judl.]

S. GOOPTU, Competent Authority

## नृ संभालय

(कानिक और प्रशासनिक सुधार विभाग)

नई दिल्ली, 26 मार्च, 1984

का०आ० 1203.—केन्द्रीय सरकार, दण्ड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री एम०बी० कुरुप, अधिवक्ता, एर्नाकुलम को, चतुर्थ अपर सेशन न्यायाधीश, एर्नाकुलम के न्यायालय के समस्त सर्वोच्च मणिकम चेट्टियार और मुत्तुस्वामी गोण्डर द्वारा फाइल किए गए नियमित मामला सं० 9ई०ओ०इ०एच०/74-मद्रास से उत्पन्न होने वाली अपील सं० 59/83 के संचालन के लिए विशेष लोक अभियोजक नियुक्त करती है।

[सं० 225/15/83-ए०बी०डी०-II]

## MINISTRY OF HOME AFFAIRS

(Department of Personnel and Administrative Reforms)

New Delhi, the 26th March, 1984

S.O. 1203.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Shri M. B. Kurup, Advocate, Ernakulam, as Special Public Prosecutor for conducting Appeal No. 59/83 arising out of Regular case No. 9/EOW/74-Madras filed by S/Shri Manicham Chettiar and Muthuswamy Gounder in the Court of IVth. Additional Session Judge, Ernakulam.

[F. No. 225/15/83-AVD. II]

नई दिल्ली 29 मार्च, 1984

का०आ० 1204.—केन्द्रीय सरकार, दण्ड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, श्री एन०एस० माथुर, अधिवक्ता को, बंगलूर स्थित प्रथम अपर मुख्य महानगर मजिस्ट्रेट के न्यायालय में, श्री एम नाराज स्टाफ आफिसर, भा०रि०बे० और अन्य के विरुद्ध दिल्ली विशेष पुलिस स्थापन नियमित मामला सं० आर०सी० 30/79-ओ एल आर का संचालन करने के लिए विशेष लोक अभियोजक नियुक्त करती है।

[सं० 225/9/82-ए० बी० डी०-II]

New Delhi, the 29th March, 1984

S.O. 1204.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Shri N. S. Mathur, Advocate, as Special Public Prosecutor for conducting Delhi Special Police Establishment Regular case No. RC 30/79-BLR against Shri M. Nagaraj, Staff Officer, Reserve Bank of India and others in the Court of 1st Additional Chief Metropolitan Magistrate, Bangalore.

[No. 225/9/82-AVD. II]

का०आ० 1205.—केन्द्रीय सरकार, दण्ड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय भ्रष्टाचार द्यूरो के अपर विधि सहायकार श्री सोने लाल को, भारत के किसी ऐसे राज्य या संघ राज्य क्षेत्र में, जिसको पूर्वोक्त धारा के उपबन्ध लागू होते हैं, विधि द्वारा स्थापित, विचारण न्यायालयों में दिल्ली विशेष पुलिस स्थापना द्वारा संस्थित मामलों के और पुनरीक्षण या अपील न्यायालयों में उन मामलों से उत्पन्न होने वाली अपीलों, पुनरीक्षणों या अन्य विषयों के संचालन के लिए विशेष लोक अभियोजक नियुक्त करती है।

[सं० 225/10/84-ए की डी-II]

S.O. 1205.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Shri Sone Lal, an Additional Legal Adviser in the Central Bureau of Investigation as a Special Public Prosecutor for the conduct of cases instituted by Delhi Special Police Establishment in trial courts, and appeals, revisions or other matters arising out of these cases in revisional or appellate courts, established by law in any State or Union Territory of India to which the provisions of the aforesaid section apply.

[No. 225/10/84-AVD. II]

नई दिल्ली, 31 मार्च, 1984

का० आ० 1206.—केन्द्रीय सरकार, दण्ड प्रक्रिया संहिता, 1973 (1974 का 2) की धारा 24 की उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय भ्रष्टाचार द्यूरो के लोक अभियोजक श्री अलताफ हुसैन को, भारत के किसी ऐसे राज्य या संघ राज्य क्षेत्र में, जिसको पूर्वोक्त धारा के उपबन्ध लागू होते हैं, विधि द्वारा स्थापित, विचारण न्यायालयों में दिल्ली विशेष पुलिस स्थापना द्वारा संस्थित मामलों के और पुनरीक्षण या अपील न्यायालयों में उन मामलों से उत्पन्न होने वाली अपीलों, पुनरीक्षणों या अन्य विषयों के संचालन के लिए विशेष लोक अभियोजक नियुक्त करती है।

[संख्या 225/21/83-ए०बी० डी०-II]

एच०के० वर्मा, अवर सचिव

New Delhi, the 31st March, 1984

S.O. 1206.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Shri Altaf Hussain, Public Prosecutor of the Central Bureau of Investigation, as Special Public Prosecutor for the conduct of cases instituted by Delhi Special Police Establishment in trial courts, and appeals, revisions or other matters arising out of these cases in revisional or appellate courts, established by law in any State or Union Territory of India to which the provisions of the aforesaid section apply.

[No. 225/21/83-AVD. II]

H. K. VERMA, Under Secy.

## वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 26 मार्च, 1984

(आयकर)

आ० 1207.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 80-छ की उपधारा (2) (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए,

केन्द्रिय सरकार एतद्वारा निम्नलिखित मंदिरों को सम्पूर्ण जम्मू और कश्मीर राज्य में विख्यात सार्वजनिक पूजास्थल अधिसूचित करती है :—

1. जम्मू में त्रिकुटा पहाड़ी में स्थित श्री वैष्णो देवी जी।
2. श्री रघुनाथजी मंदिर कॉम्प्लेक्स, जम्मू।
3. श्री रणबीरेश्वर मंदिर, जम्मू।
4. श्री अमरनाथजी का तीर्थ कश्मीर।
5. कश्मीर के तुलामुल्ला ग्राम में स्थित भगवती खीरभवानी का तीर्थ।
6. हरि पर्वत फोर्ट, श्रीनगर के पास भगवती मारिका का तीर्थ।

[संख्या 5723 (फा०सं० 176/53/83-आ०क०नि०-I)]  
आर० के० तिवारी, अवर सचिव

#### MINISTRY OF FINANCE

((Department of Revenue))

New Delhi, the 26th March, 1984

#### (INCOME-TAX)

S.O. 1207.—In exercise of the powers conferred by sub-section (2)(b) of Section 80-G of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the following temples to be places of public worship of renown throughout the State of Jammu & Kashmir :—

1. Shri Vaishno Devi Ji situated in the Trikuta Hill in Jammu.
2. Shri Raghunath Ji temple Complex, Jammu.
3. Shri Ranbireshwar Temple, Jammu.
4. Shri Amarnath Ji Shrine in Kashmir.
5. Shrine of Bhagwati Khirbhawani situated in village Tulamulla in Kashmir.
6. Shrine of Bhagwati Sharika near Hari Parbat Fort, Srinagar.

[No. 5723 (F. No. 176/53/83-IT(AI))]  
R. K. TEWARI, Under Secy.

#### केन्द्रीय प्रत्यक्ष कर बोर्ड

नई दिल्ली, 26 मार्च, 1984

(आय-कर)

शुद्धि पत्र

का०आ० 1208.—आयकर अधिनियम 1961 (1961 का 43) की धारा 121 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय प्रत्यक्ष कर बोर्ड एतद्वारा अपनी दिनांक 21-11-1983 की अधिसूचना संख्या 5474 की अनुसूची के स्तम्भ 3(ग) में निम्नलिखित संशोधन करना है :—

के लिए : "निरीक्षी सहायक आयकर आयुक्त (निर्धारण) गुप्तूर"  
परिणः "निरीक्षी सहायक आयकर आयुक्त (निर्धारण) में रेंज III, हैदराबाद"।

[सं० 5722 (फा०सं० 187/28/83-आ०क०नि०-I)]

#### CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 26th March, 1984

#### (INCOME-TAX)

#### CORRIGENDUM

S.O. 1208.—In exercise of the powers conferred by sub-section (1) of section 121 of the Income-tax Act, 1961

(43 of 1961), the Central Board of Direct Taxes, hereby makes the following amendment to its Notification No. 5474 dated 21-11-1983 under Column 3(c) of the Schedule.

FOR.—"Inspecting Assistant Commissioner of Income-Tax (Assessments), Guntur".

READ.—"Inspecting Assistant Commissioner of Income-Tax (Assessments), Range-III, Hyderabad".

[No. 5722 (F. No. 187/28/83-IT AI)]

(आयकर)

(शुद्धि पत्र)

का०आ० 1209.—बोर्ड का दिनांक 22-12-1983 की अधिसूचना सं० 5539 द्वारा यथा संशोधित दिनांक 1-12-1983 की अधिसूचना संख्या 5496 में निम्नलिखित संशोधन किया जाएगा :—

अधिसूचना 1-1-1984 की बजाए 1-5-1984 से प्रभावी होगी।

[सं० 5721 (फा०सं० 187/29/83-आ०क०नि०-I)]

आर०के० तिवारी, अवर सचिव,  
केन्द्रीय प्रत्यक्ष कर बोर्ड

#### (INCOME-TAX)

#### CORRIGENDUM

S.O. 1209.—In the Board's Notification No. 5496 dated 1-12-1983 as further amended by the Notification No. 5539 dated 22-12-1983 the following amendment shall be made.

Instead of 1-1-1984 the notification will come into effect from 1-5-1984.

[No. 5721 F. No. 187/29/83-IT(AI)]

R. K. TEWARI, Under Secy.  
Central Board of Direct Taxes

नई दिल्ली, 27 मार्च, 1984

(आय-कर)

का०आ० 1210.—आय-कर अधिनियम, 1961 (1961 का 43) की धारा 122 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इस संबंध में सभी पूर्ववर्ती अधिसूचनाओं का अधिलक्षण करते हुए, केन्द्रीय प्रत्यक्ष कर बोर्ड एतद्वारा निदेश देता है कि नीचे दी गई अनुसूची के स्तम्भ 1 में विनिर्दिष्ट रेंजों के अपीलीय सहायक आयकर आयुक्त आय-कर से निर्धारित उन सभी व्यक्तियों और आय को छोड़कर जिन पर क्षेत्राधिकार आय-कर आयुक्त (अपील) में निहित है, उक्त अनुसूची के स्तम्भ (2) की सत्संबंधी प्रविष्टि में विनिर्दिष्ट आय-कर परिसंझलों, बाडों और जिलों में, आय-कर से निर्धारित सभी विनिर्दिष्ट व्यक्तियों और आय के संबंध में अपने कार्य करेंगे।

#### अनुसूची

क० सं० रेंज और प्रधान कार्यालय आय-कर परिसंझ, बाडें तथा जिले

1	2	3
1. अपीलीय सहायक आयकर आयुक्त रेंज-I, बंगलोर	1. परिसंझ-I, बंगलोर	
	2. परिसंझ IV, बंगलोर	
	3. आ०क०अ०, विदेश प्रभाग, बंगलोर	
	4. कंपनी परिसंझ I से VII, बंगलोर	
	5. आ०क०अ० व्यास परिसंझ, बंगलोर	

1	2	3
		6. आ०क० अधि० बंगलोर परिमंडल (पुराना) द्वारा पारित आदेशों के संबंध में
		7. आ०क० अधि० चन्नापटना द्वारा पारित आदेशों के संबंध में
		8. केन्द्रीय परिमंडल, बंगलोर
		9. फिल्म परिमंडल, बंगलोर
2. अपीलीय सहायक आयकर आयुक्त रेंज-II, बंगलोर		1. परिमंडल-II, बंगलोर
		2. सर्वेक्षण परिमंडल I तथा II बंगलोर
		3. विशेष सर्वेक्षण परिमंडल (पुराना), बंगलोर
		4. जांच परिमंडल, बंगलोर
		5. मैसूरी परिमंडल, मैसूर
		6. मांड्या परिमंडल, मांड्या
		7. हुसन परिमंडल, हुसन
		8. तुमकुर परिमंडल, तुमकुर
3. अपीलीय सहायक आयकर आयुक्त रेंज-III बंगलोर		1. परिमंडल-III, बंगलोर
		2. वेतन परिमंडल, बंगलोर
		3. कोलार परिमंडल, कोलार
		4. कुर्ग परिमंडल, मेराकारा
		5. चिकमंगलूर परिमंडल, चिक- मंगलूर
		6. उडुपि परिमंडल, उडुपि
		7. मंगलोर परिमंडल, मंगलोर
		8. सम्पदा शुल्क एवं आय-कर परिमंडल, बंगलोर
		9. सम्पदा शुल्क एवं आय-कर परि- मंडल, मंगलोर
		10. सम्पदा शुल्क एवं आय कर परिमंडल, हुबली
4. अपीलीय सहायक आयकर- आयुक्त धारवाड़ रेंज हुबली		1. हुबली परिमंडल, हुबली
		2. धारवाड़ परिमंडल, धारवाड़
		3. गदग परिमंडल, गदग
		4. शिमोगा परिमंडल, शिमोगा
		5. रायचूर परिमंडल, रायचूर
		6. गुलबार्गा परिमंडल, गुलबार्गा
		7. बेल्गरी परिमंडल, बेल्गरी
		8. होमपेट परिमंडल, होमपेट
		9. चित्रदुर्ग परिमंडल, चित्रदुर्ग
		10. कारवाड़ परिमंडल, कारवाड़
		11. बाघणगिरि, परिमंडल बाघणगिरि
		12. बीजापुर परिमंडल, बीजापुर
		13. बागल कोट परिमंडल, बागल कोट
5. अपीलीय सहायक आय-कर आयुक्त बेलगाम रेंज बेलगाम		1. बेलगाम परिमंडल, बेलगाम
6. अपीलीय सहायक आय-कर आयुक्त गोवा रेंज गोवा		1. पणजी परिमंडल, पणजी
		2. मारगाओ परिमंडल, मारगाओ

यतः कोई आय-कर परिमंडल बाईं अथवा जिला प्रथम, उसका कोई भाग इस अधिसूचना द्वारा एक रेंज से किसी अन्य रेंज में अंतरित कर दिया जाता है उस आय-कर परिमंडल बाईं अथवा जिले अथवा उसके किसी भाग में किये गये कर-निष्पत्तियों से उत्पन्न होने वाली और इस अधिसूचना की तारीख से तत्काल पूर्व रेंज के उस अपीलीय सहायक आयुक्त के समस्त विचारधीन पड़ी अपीलें जिनके अधिकार क्षेत्र से उस आय-कर परिमंडल बाईं अथवा जिला अथवा उसका कोई भाग अंतरित किया गया हो इस अधिसूचना के लागू होने की तारीख से रेंज के उस अपीलीय सहायक आयुक्त को अंतरित की जाएगी और उसके द्वारा निपटाई जाएगी जिसके अधिकार क्षेत्र में उक्त परिमंडल बाईं अथवा जिला अथवा उसका कोई भाग अंतरित किया गया हो।

यह अधिसूचना 1-12-1983 से लागू होगी।

[सं० 5691 (फा०सं० 261/7/83-आ०क०न्या०)]

New Delhi, the 27th March, 1984

### INCOME-TAX

S.O. 1210.—In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961) and in supersession of all previous notifications in this regard the Central Board of Direct Taxes hereby directs that the Appellate Assistant Commissioner of Income-tax of the Ranges specified in Col. 1 of the schedule below, shall perform their functions in respect of all persons and income assessed to income-tax in the Income-tax Circles, Wards and District specified in and income assessed to income-tax over which the jurisdiction vests with the Commissioner of Income-tax (Appeals).

### SCHEDULE

Range with Head Quarters	Income-tax Circles, Wards & Distts.
1. Appellate Assistant Commissioner of Income- tax, Range-I, Bangalore	1. Circle-I, Bangalore 2. Circle-IV, Bangalore 3. ITO, Foreign Section, Bangalore 4. Com. Circles I to VII, Bangalore 5. ITO, Trust Circle, Bangalore 6. In respect of orders passed by the ITOs Bangalore Circle-Old 7. In respect of orders passed by the ITO, Channarayana 8. Central, Circles, Bangalore 9. Film Circle, Bangalore.
2. Appellate Assistant Commissioner of Income- tax, Range-II, Bangalore.	1. Circle-II, Bangalore. 2. Survey Circles I & II Bangalore 3. Spl. Sur. Cir. (Old) Ban- galore 4. Investigation Cir. Banga- lore 5. Mysore Circle, Mysore 6. Mandya Circle, Mandya 7. Hassan Circle, Hassan 8. Tumkur Circle, Tumkur

1	2
3. Appellate Assistant Commissioner of Income-tax, Range-III, Bangalore	1. Circle-III, Bangalore 2. Salary Circles, Bangalore 3. Kolar Circle, Kolar 4. Coorg Circle, Mercara 5. Chickmangalur Circle, Chickmangalur 6. Udupi Circle, Udupi 7. Mangalore Circle, Mangalore 8. Estate Duty-cum-Income Tax Circle, Bangalore 9. Estate Duty-cum-Income-tax Circle, Mangalore 10. Estate Duty-cum-Income Tax Circle, Hubli
4. Appellate Assistant Commissioner of Income-tax, Dharwar Range, Hubli	1. Hubli Circle, Hubli 2. Dharwar Circle, Dharwar 3. Gadag Circle, Gadag 4. Shimoga Circle, Shimoga 5. Raichur Circle, Raichur 6. Gulbarga Circle, Gulbarga 7. Bellary Circle, Bellary 8. Hospet Circle, Hospet 9. Chitradurga Circle, Chitradurga 10. Karwar Circle, Karwar 11. Davangere Circle, Davangere 12. Bijapur Circle, Bijapur 13. Bagalkot Circle, Bagalkot
5. Appellate Assistant Commissioner of Income-tax, Belgaum Range, Belgaum.	1. Belgaum Circle, Belgaum
6. Appellate Assistant Commissioner of Income-tax, Goa Range, Goa	1. Panaji Circle, Panaji 2. Margao Circle, Margao

Whereas an Income-tax Circle, Ward or District or part thereof stands transferred by this notification from one range to another range, as appeals arising out of the assessments made in that Income-tax Circle, Ward or District or part thereof and pending immediately before the date of this notification before Appellate Assistant Commissioner of the range from whom that Income-tax Circle, Ward or District or part thereof is transferred, shall from the date this notification takes effect be transferred to and dealt with by the Appellate Assistant Commissioner of the range to whom the said Circle, Ward or District or part thereof is transferred.

This Notification shall take effect from 1-12-1983.

[No. 5691 (F. No. 261/7/83-ITJ)]

नई दिल्ली, 31 मार्च 1984

(आय-कर)

का० आ० 1211.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 121क की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और दिनांक 3-11-1983 की अधिसूचना संख्या 5446 (का० सं० 261/22/83-आ०क०न्या०) में संशोधन करते हुए केन्द्रीय प्रत्यक्ष कर बोर्ड एतद्वारा निर्देश देता है कि आयकर आयुक्त (अपील)-XIV कलकत्ता

अनुसूची के स्तम्भ (2) तथा स्तम्भ (3) की तत्संबंधी प्रविष्टियों में विनिविष्ट बाडों, परिमंडलों, जिलों और रेंजों में ऐसे व्यक्तियों के संबंध में अपने कार्य करने जिन पर आयकर या प्रतिकर या व्याजकर लगाया गया हो और जो आयकर अधिनियम, 1961 की धारा 246 के उपखंड (2) के खंड (क) से (ज) में, कंपनी (लाभ) अतिकर अधिनियम, 1964 (1964 का 7) की धारा 11 की उपधारा (1) में और व्याजकर अधिनियम 1974 (1974 का 45) की धारा 15 की उपधारा (1) में उल्लिखित किसी भी आदेश से व्यक्त हुए हैं और ऐसे व्यक्तियों या व्यक्तियों के वर्गों के वास्तविक भी कार्य करने जिनके लिए बोर्ड ने आयकर अधिनियम, 1961 की धारा 246 की उपधारा (2) के खंड (1) के उपबंधों के अनुसार निर्देश दिया है या भविष्य में निर्देश दें।

अधिकार क्षेत्र तथा आयकर बाडें तथा परिमंडल, नि०स०आ०क०आ० की प्रधान कार्यालय रेंज

1	2	3
आयकर आयुक्त (अपील)-XIV कलकत्ता	1. मिनेमा परिमंडल	नि०स०आ० मिनेमा परि० रेंज
	2. विशेष परि० हुण्डी परि०	नि०स०आ० रेंज
	3. विशेष परि० II हुण्डी परि०	नि०स०आ० रेंज
	4. परियोजना परिमंडल	नि०स०आ० आसनसोल रेंज
	5. परियोजना परिमंडल-I	नि०स०आ० बर्दवान रेंज
	6. परियोजना परिमंडल-II	नि०स०आ० रेंज XXI
	7. आसनसोल	
	8. बर्दवान	
	9. हुगली	
	10. बोरमूस	
	11. पुरलिया	
	12. बांकुरा	
	13. दुर्गापुर	
	14. 24-परगना	
	15. मिर्नापूर	
	16. एस०एस०सी० VII	
	17. अण्डमान और निकोबार द्वीपसमूह	

जहां कोई आयकर परिमंडल, बाडें या जिला या रेंज उसका कोई भाग इस अधिसूचना द्वारा एक अधिकार क्षेत्र से अन्य अधिकार क्षेत्र में अंतरित कर दिया गया है, वहां आयकर परिमंडल, बाडें या जिला या रेंज या उसके किसी भाग में किये गये कर-निर्धारणों से उत्पन्न होने वाली और इस अधिसूचना की तारीख से तत्काल उस अधिकार क्षेत्र के आयकर आयुक्त (अपील) के समक्ष विचाराधीन पड़ी अपीलें, जिसके अधिकार क्षेत्र से वह आयकर परिमंडल, बाडें, जिला या रेंज या उसका कोई भाग अंतरित किया गया है, इस अधिसूचना के लागू होने की तारीख से उस आयकर आयुक्त (अपील) के अधिकार क्षेत्र में अंतरित की जाएंगी और उनके द्वारा निपटायी जाएंगी, जिसके अधिकार क्षेत्र में उक्त परिमंडल, बाडें, जिला या रेंज या उसका कोई भाग अंतरित कर दिया गया है।

यह अधिसूचना 1-7-1983 से लागू होगी।

[सं० 5674 (का० सं० 261/22/83-आ०क०न्या०)]

New Delhi, the 31st March, 1984

(INCOME-TAX)

S.O. 1211.—In exercise of the powers conferred by Sub-Section (1) of Section 121A of the Income-tax Act, 1961 (43 of

1961) and in modification of its Notification No. 5446 (F. No. 261/22/83-ITJ) dated 2-11-1983, the Central Board of Direct Taxes hereby directs that the CIT (Appeals)-XIV, Calcutta shall perform his function in respect of such persons assessed to Income-tax or Sur-tax or Interest-tax in the Income-tax Wards, Circles, Districts and Ranges specified in the corresponding entries in Column 2 and Column 3 thereof as are aggrieved by any of the orders mentioned in Clauses (a) to (h) of Sub-Section (2) of Section 246 of the Income-tax Act, 1961, in sub-section (1) of Section 11 of the Companies (Profits) Sur-tax Act, 1964 (7 of 1964) and in sub-section (1) of Section 15 of the Interest-tax act, 1974 (45 of 1974) and also in respect of such persons or classes of persons as the Board has directed or may direct in future in accordance with the provisions of clause (1) of sub-section (2) of Section 246 of the Income-tax Act, 1961.

Charges with Headquarters	Income-tax Wards and Circles	Ranges of I.A.C.
CIT(Appeals)-XIV, Calcutta	1. Cinema Circle	IAC Cinema Cir. Range
	2. Spl. Circle Hundi Cir.	IAC Range-V
	3. Spl. Cir. II Hundi Cir.	IAC Range-X
	4. Project Circle	IAC, Asansole Range
	5. Project Circle-I	IAC, Burdwan Range
	6. Project Circle-II	IAC Range-XXI
	7. Asansol	
	8. Burdwan	
	9. Hooghly	
	10. Birbhum	
	11. Purulia	
	12. Bankura	
	13. Durgapore	
	14. 24-P rganas	
	15. Midnapore	
	16. SSC-VII	
	17. Andaman & Nicobar Islands.	

Whereas an Income-tax Circle, Ward or District or Range or part thereof stands transferred by this Notification from one charge to another charge, appeals arising out of the assessments made in that Income-tax Circle, Ward or District or Range or part thereof and pending immediately before the date of this Notification before the CIT(A) of the charge from which that Income-tax Circle, District, Ward or Range or part thereof is transferred shall, from the date of this Notification takes effect, be transferred to and dealt with by the CIT(A) of the charge to whom the said Ward, Circle or District or Range or part thereof is transferred.

This Notification shall take effect from 1-7-1983.

[No. 5674(F. No. 261/22/83-ITJ)]

(आय कर)

का.मां. 1212—आयकर अधिनियम, 1961 (1961 का 43) की धारा 121क की उपधारा (1) द्वारा प्रदत्त शक्तियों और इस संबंध में केन्द्रीय प्रत्यक्ष कर बोर्ड को समर्थ बनाने वाली अन्य शक्तियों का प्रयोग करते हुए, केन्द्रीय प्रत्यक्ष कर बोर्ड, एतद्वारा निदेश देता है कि दिनांक 1-10-1983 की बोर्ड की अधिसूचना संख्या 5415 (फा.सं. 261/21/83-मां.कं.मां.) में निम्नलिखित संशोधन किया जाएगा।

(1) आयकर आयुक्त (अपील)-XI बम्बई के क्षेत्राधिकार के स्तम्भ 2 के सामने उक्त अधिसूचना में संलग्न अनुसूची में मद संख्या 9 के रूप में निम्नलिखित को जोड़ा जाएगा :—  
“9 बी०एस०डी० (साउथ) वार्ड”;

(2) आयकर आयुक्त (अपील)-XV के क्षेत्राधिकार के सामने अनुसूची में स्तम्भ 2 के अन्तर्गत वर्तमान प्रविष्टि के स्थान पर निम्नलिखित की जायगी :—

“2 बी०एस०डी० (पूर्व, पश्चिम तथा उत्तर)”।

यह अधिसूचना दिनांक 15-2-1984 से लागू होगी।

[मं० 5615 (फा.सं० 261/21/83-मां.कं.मां.)]

(INCOME-TAX)

S.O. 1212.—In exercise of the powers conferred by sub-section (1) of section 121A of the Income-tax Act, 1961 (43 of 1961), and all other powers enabling it in this behalf the Central Board of Direct Taxes hereby directs that the following amendments shall be made in the Boards notification No. 5415 (F. No. 261/21/83-ITJ) dated 1-10-1983.

(1) In the schedule appended to the said notification under column 2 against the jurisdiction of the Commissioner of Income-tax (Appeals)-XI, Bombay the following shall be added as item No. 9 :—

“9. B.S.D. (South) Ward”;

(2) Under column (2) of the schedule against the jurisdiction of the Commissioner of Income-tax (Appeals)-XV, the existing entry shall be substituted by the following :—

“2. B.S.D. (East, West & North)”.

This notification shall take effect from 15-2-1984.

[No. 5615 (F. No. 261/21/83-ITJ)]

(आयकर)

का.मां. 1213—आयकर अधिनियम, 1961 (1961 का 43) की धारा 121क की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और दिनांक 21-7-1983 की अधिसूचना संख्या 5321 में संशोधन करते हुए, केन्द्रीय प्रत्यक्ष कर बोर्ड एतद्वारा निदेश देता है कि नीचे दी गई अनुसूची के स्तम्भ (1) में विनिर्दिष्ट अधिकार क्षेत्रों के आयकर आयुक्त (अपील), अनुसूची के स्तम्भ (2) तथा स्तम्भ (3) की तत्संबंधी प्रविष्टियों में विनिर्दिष्ट आयकर वार्डों, परिमण्डलों, जिलों और रेंजों में ऐसे व्यक्तियों के संबंध में अपने कार्य करेंगे, जिन पर आयकर या प्रतिकर या व्याजकर लगाया गया हो और जो आयकर अधिनियम, 1961 की धारा 246 की उपधारा (2) के खंड (क) से (ज) में, कंपनी (साध) प्रतिकर अधिनियम, 1964 (1964 का 7) की धारा II की उपधारा (1) में और व्याजकर अधिनियम 1974 (1974 का 45) की धारा 13 की उपधारा (1) में उल्लिखित किसी भी प्रादेश से व्यक्ति हुए हैं और ऐसे व्यक्तियों या व्यक्तियों के वर्गों की बाबत भी, कार्य करेंगे जिनके लिए बोर्ड ने आयकर अधिनियम, 1961 की धारा 246 की उपधारा (2) के खण्ड (1) के उपबंधों के अनुसार निदेश दिया है या भविष्य में निदेश दें।

अनुसूची

अधिकार क्षेत्र तथा प्रधान कार्यालय	आयकर वार्ड तथा परिमण्डल	निरीक्षी आयकर आयुक्तों के रेंज
1	2	3
आयकर आयुक्त (अपील)-1 मद्रास	सिटी परिमण्डल I मद्रास (सभी अनुभाग)	नि०सं०मां० रेंज I

1	2	3	1	2	3
	सिटी परिमंडल II मद्रास (सभी अनुभाग)	नि०स०आ० रेंज V		रामनाथपुरम परि० भूतपूर्व परि०)	नि०स०आ० मद्रुरै
	—यथोक्त— III	नि०स०आ० रेंज X		विशेष परि० मद्रुरै (भूतपूर्व परि०) जो प्रति लाभ कर मामलों को निपटाता है।	
	—यथोक्त— IV	नि०स०आ० रेंज IX		विशेष परि० (नया परिमंडल) 2-12-1974 से) (सभी अनुभाग)	नि०स०आ० (निर्धारण) रेंज 1 मद्रुरै
	—यथोक्त— V	नि०स०आ० रेंज III		अतिरिक्त विशेष परि०	
	—यथोक्त— VI	नि०स०आ० रेंज VII		मद्रुरै	
		तथा		विशेष सर्वेक्षण परि०	नि०स०आ० रेंज 2 मद्रास
	विशेष सर्वेक्षण परिमंडल मद्रास (सभी अनुभाग)	नि०स०आ० रेंज II		मजदुर	
	वेतन परिमंडल I मद्रास यथोपरि		आयकर आयुक्त (अपील) VI	सिटी परि II मद्रास	नि०स०आ० (निर्धारण) रेंज IV
	वेतन परिमंडल II मद्रास		मद्रास	कंपनी परि II मद्रास	नि०स०आ० रेंज तथा नि०स०आ० (निर्धारण) II मद्रास
	वेतन परिमंडल मद्रास (भूतपूर्व परिमंडल)	नि०स०आ० रेंज III			
	वापसी परिमंडल				
आयकर आयुक्त (अपील)-II मद्रास	मद्रास में सभी केन्द्रीय परिमंडल (सभी अनुभाग)	नि०स०आ० केन्द्रीय रेंज 1, 2 तथा 3	<p>जहाँ कोई आयकर परिमंडल, बाईं या जिला या रेंज या उसका कोई भाग इस अधिसूचना द्वारा एक अधिकार क्षेत्र से अन्य अधिकार क्षेत्र में अंतरित कर दिया गया है, वहाँ उस आयकर परिमंडल, बाईं या जिले जयबा रेंज अथवा उसके किसी भाग में किये गये कर निर्धारणों से उत्पन्न होने वाली और इस अधिसूचना की तारीख से तत्काल पूर्व उस अधिकार क्षेत्र के आयकर आयुक्त (अपील) के समक्ष विचाराधीन पड़ी अपीलें, जिसके अधिकार क्षेत्र से वह आयकर परिमंडल, बाईं, जिला या रेंज या उसका कोई भाग अंतरित किया गया है, इस अधिसूचना के लागू होने की तारीख से उस आयकर आयुक्त (अपील) के अधिकार क्षेत्र में अंतरित की जाएंगी और उसके द्वारा निपटायी जाएंगी, जिसके अधिकार क्षेत्र में उक्त परिमंडल, बाईं, जिला या रेंज या उसका कोई भाग अंतरित कर दिया गया है।</p> <p>यह अधिसूचना 1-7-1983 से लागू होगी।</p> <p>[सं० 5673 (फा०सं० 261/9/83-आ०क०म्या०)]</p> <p>कल्याण पन्त, सचिव केन्द्रीय प्रत्यक्ष कर बोर्ड</p>		
	मद्रुरै में सभी केन्द्रीय परिमंडल (सभी अनुभाग)	नि०स०आ० (निर्धारण) केन्द्रीय मद्रास			
आयकर आयुक्त (अपील) III	कंपनी परिमंडल III मद्रास (सभी अनुभाग)	नि०स०आ० रेंज IV			
	तम्बरम परिमंडल (सभी अनुभाग)	नि०स०आ० रेंज VII			
	कांचीपुरम परिमंडल	मद्रास			
	बेलूरम परिमंडल				
	पाण्डिचेरी परिमंडल	नि०स०आ० रेंज VI			
	कुड्डलौर परिमंडल	मद्रास			
	कुम्माकोणम परिमंडल				
	तागापट्टिनम परिमंडल				
	तंजावूर परिमंडल				
	तिरुनेलवेलि परिमंडल (सभी अनुभाग)		<p>INCOME-TAX)</p> <p>S.O. 1213.—In exercise of the powers conferred by sub-section (1) of Section 121A of the Income-tax Act, 1961 (43 of 1961) and in modification of Notification No. 5321 dated 21-7-1983, the Central Board of Direct Taxes hereby directs that the Commissioners of Income-tax (Appeals) of the charges specified in Column (1) of the Schedule below, shall perform their functions in respect of such persons assessed to Income-tax or Surtax or Interest tax in the Income-tax Wards, Circles, Districts and Ranges specified in the corresponding entries in column (2) and column (3) thereof as are aggrieved by any of the orders mentioned in clauses (a) to (h) of sub-section (2) of Section 246 of the Income-tax Act, 1961, in sub-section (1) of Section 11 of Companies (Profits) Surtax Act, 1964 (7 of 1964) and in sub-section (1) of the Section 15 of the Interest Tax Act, 1974 (45 of 1974) and also in respect of such persons and classes of persons as the Board has directed or may direct in future in accordance with the provisions of clause (i) of sub-section (2) of Section 246 of the Income-tax Act, 1961.</p>		
	टूटिकोरिन परिमंडल	नि०स०आ० तिरुनेल्वेलि			
	विंथुनगर परिमंडल				
	नागरकोइल परिमंडल				
	विशेष जांच परिमंडल I, II तथा III				
	मद्रास (भूतपूर्व हुण्डी परिमंडल I तथा II मद्रास) (सभी अनुभाग)	नि०स०आ० रेंज II मद्रास			
	विशेष जांच परिमंडल मद्रास (क और ख) भूतपूर्व परिमंडल	नि०स०आ० रेंज II नि०स०आ० रेंज III			
	फिन्म परिमंडल मद्रास परि०				
आयकर आयुक्त (अपील) IV	कंपनी परिमंडल I मद्रास (सभी अनुभाग)	नि०स०आ० कंपनी रेंज तथा नि०स०आ० (निर्धारण) रेंज I मद्रास			
	कंपनी परि० IV मद्रास विशेष अनुभाग	नि०स०आ० रेंज 3 नि०स०आ० कंपनी रेंज मद्रास			
	बेलूर परिमंडल कंपनी परिमंडल मद्रुरै (सभी अनुभाग)	नि०स०आ० VII मद्रास			
	आयकर परिमंडल मद्रुरै कराडकुई डिण्डीगुल	नि०स०आ० मद्रुरै			

## SCHEDULE

Charge with H. Qrs.	I.T. Wards/Circles & Districts	Range of IACs of Income-tax
1	2	3
CIT(A)-I Madras	City Circle-I, Madras (All Sections)	IAC Range I
	City Circle II, Madras (All Sections)	IAC Range V
	City Circle-III, Madras (All Sections)	IAC Range X
	City Circle-IV, Madras (All Sections)	IAC Range IX
	City Circle-V, Madras (All Sections)	IAC Range VIII
	City Circle-VI, Madras (All Sections)	IAC Range VII & IAC Asstt. Range III
	Spl. Survey Cir. Madras (All Sections)	IAC Range II
	Salary Cir. I, Madras (All Sections)	IAC Range III
	Salary Cir. II, Madras (All Sections)	
	Salaries Cir., Madras (Erst while Cir.)	
	Refund Circle, Madras	
CIT(A)-II Madras	All Central Circles in Madras (All Sections)	IACs Central Range I, II & III
	All Central Circles at Madurai (All Sections)	IAC (Asstt.) Central Madras
CIT(A)-III	Co. Cir. III, Madras (All Sections)	IAC Range IV
	Tambaram Cir. (All Sections)	IAC Range VII, Madras
	Kanchiupuram Cir. (All Sections)	
	Villupuram Cir. (All Sections)	
	Pondicherry (All Sections)	
	Cuddalore (All Sections)	IAC Range VI, Madras
	Kumbakonam "	
	Nagapattinam "	
	Thanjavur "	
	Tirunelveli "	IAC Tirunelveli
	Tuticorin "	
	Virudhunagar "	
	Nagarcoil "	
	Spl. Inv. Cir. I, II & III Madras, (Erstwhile Hundi Cir. I & II, Madras) (All Sections)	IAC Range II Madras
	Spl. Inv. Cir. Madras (A & B) Erstwhile Circle	
	Film Cir. Madras Circle	IAC Range VIII
CIT(A)-IV	Company Circle I (All Sections)	IAC Com. Range & IAC (Asstt.) Range-I Madras.
	Comp. Cir. IV, Madras (All Sections)	IAC Range VIII
	Foreign Section (All Sections)	IAC Co. Range Madras

1	2	3
	Vellore Cir. (All Sections)	IAC Range VII Madras
	Comp. Cir. Madurai (All Sections)	IAC Madurai
	I.R. Cir. Madurai (All Sections)	
	Karaikeui (All Sections)	
	Dindigul (All Sections)	
	Ramanathapuram Cir. (All Sections)	
	(Erst while Cir.)	IAC (Asstt.) Range I
	Spl. Cir. Madurai (Erst while Cir.) Dealing with EPT Cases (All Sections)	
	Spl. Cir. (New Circle) w.e.f. 2-12-1974 (All Sections)	
	Addl. Spl. Cir. Madurai (All Sections)	Madurai
	Spl. Sur. Cir. Madurai (All Sections)	IAC Range II Madras
CIT(A)-VI Madras	City Ct. VII Madras (All Sections)	IAC Range IV
	Comp. Cir. II Madras (All Sections)	IAC Range I & IAC (Asstt.) II, Madras

Whereas the Income-tax Circle, Ward or Direct or Range or part thereof stands transferred by this Notification from one charge to another charge, appeals arising out of the assessments made in that Income-tax Circle, Ward or District or Range or part thereof and pending immediately before the date of this Notification before the Commissioner of Income-tax (Appeals) of the charge from whom that Income-tax circle ward or district or range or part thereof is transferred shall from the date of this Notification takes effect, be transferred to and dealt with by the Commissioner of Income-tax (Appeals) of the Charge to whom the said Circle, Ward or District or Range or part thereof is transferred.

This Notification shall take effect from 1-7-1983.

[No. 5673(F. No. 261/9/83-IT J)]  
KALYAN CHAND, Under Secy.  
Central Board of Direct Taxes

नई दिल्ली, 15 मार्च, 1984

(आयकर)

का०आ० 1214—आयकर अधिनियम, 1961 (1961 का 43) की धारा 122 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा इस संबंध में केन्द्रीय प्रत्यक्ष कर बोर्ड को अधिकार देने वाली अन्य सभी शक्तियों का प्रयोग करने हुए, केन्द्रीय प्रत्यक्ष कर बोर्ड एतद्वारा समय समय पर यथासंशोधित अपनी दिनांक 12 नवम्बर, 1980 की अधिसूचना सं० 3723 (का०सं० 261/26/80-आ०क.न्या०) से संलग्न अनुसूची में निम्नलिखित संशोधन करता है।

उक्त अनुसूची में, नोबे स्तम्भ 1 में उल्लिखित हेड के सामने स्तम्भ 2 की प्रविष्टियाँ प्रतिस्थापित की जाएँगी—



## अनुसूची

रेंज	आयकर परिमंडल/वार्ड तथा जिले
अपीलीय सहायक आयुक्त, रेंज-10, कलकत्ता	1. जिला-II (2) 2. परियोजना परिमंडल 3. परियोजना परिमंडल-I 4. परियोजना परिमंडल-II 5. संपदा शुल्क परिमंडल 6. अण्डमान निकोबार द्वीप समूह

यह अधिसूचना पीछे की तारीख से अर्थात् 1 जुलाई, 1983 से लागू होगी।

[सं० 5717 (फा०सं० 261/1/84-आ०क०न्या०)]

New Delhi, the 15th March, 1984

## INCOME-TAX

S.O. 1214.—In exercise of the powers conferred by sub-section (1) of Section 122 of the Income-Tax Act, 1961 (43 of 1961) and of all other powers enabling it on that behalf the Central Board of Direct Taxes, hereby makes the following amendments to the Schedule appended to its Notification No. 3723 (F. No. 261/26/80-ITJ) dated 12-11-80 as amended from time to time.

In the Schedule, the entries in Col. 2 shall be substituted against the Range mentioned in Col. 1, below. :—

## SCHEDULE

Range	Income-tax Circle/Wards & Districts
A.A.C. Range-X Calcutta	1. District : II (2) 2. Project Circle 3. Project Circle : I 4. Project Circle : II 5. Estate duty Circle 6. And a man Nicobar

This notification shall take effect retrospectively from 1-7-1983.

[No. 5717 (F. No. 261/1/84-ITJ)]

## आयकर

का०आ० 1215—आयकर अधिनियम, 1961 (1961 का 43) की धारा 122 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए तथा इस संबंध में केन्द्रीय प्रत्यक्ष कर बोर्ड को अधिकार देने वाली अन्य सभी शक्तियों का प्रयोग करते हुए, केन्द्रीय प्रत्यक्ष कर बोर्ड पत्र-द्वारा समय समय पर यथा संशोधित अपनी दिनांक 12 नवम्बर, 1980 की अधिसूचना सं० 3723 (फा०सं० 261/26/80-आ०क०न्या०) से संलग्न अनुसूची में निम्नलिखित संशोधन करता है।

उक्त अनुसूची में नीचे स्तम्भ 1 में उल्लिखित रेंजों के सामने स्तम्भ 2 की प्रविष्टियाँ प्रतिस्थापित की जाएंगी :—

स्तम्भ 1	स्तम्भ 2
अपीलीय सहायक आयुक्त-5, कलकत्ता	1. जिला-III (2) 2. विशेष जांच परिमंडल-III 3. विशेष परिमंडल-III जिला 5 (2) 4. विशेष परिमंडल-6
अपीलीय सहायक आयुक्त-16, कलकत्ता	1. जिला-I (3) 2. जिला-5 (2)

यह आदेश 15 फरवरी, 1984 से प्रभावी होगा।

[सं० 5716 (फा०सं० 261/1/84-आ०क०न्या०)]

के०एम० मुलतान, अवर् सचिव,  
केन्द्रीय प्रत्यक्ष कर बोर्ड

## INCOME-TAX

S.O. 1215.—In exercise of the powers conferred by Sub-Section (1) of Section 122 of the Income-tax Act, 1961 (43 of 1961) and of all other powers enabling it on that behalf the Central Board of Direct Taxes, hereby makes the following amendments to the Schedule appended to its Notification No. 3723 (F. No. 261/26/80-ITJ) dated 12-11-1980 as amended from time to time.

In the Schedule, the entries in Column 2 shall be substituted against the Ranges mentioned in Column 1, below :

Column : 1	Column : 2
AAC, Range-V, Calcutta	1. District-III (2) 2. Special Investigation Circle-III 3. Spl. Cir.-III, Dist-V(2) 4. Special Circle-VI
AAC, Range-XVI, Calcutta	1. District-I(3) 2. District-V(2)

This order shall take effect from 15-2-1984

[No. 5716(F. No. 261/1/84-ITJ)]  
K.M. SULTAN, Under Secy.  
Central Board of Direct Taxes

## केन्द्रीय उत्पाद-शुल्क और सीमाशुल्क बोर्ड

नई दिल्ली, 14 अप्रैल, 1984

सं० 104/84-सीमाशुल्क

का० आ० 1216—केन्द्रीय उत्पाद-शुल्क और सीमाशुल्क बोर्ड, सीमाशुल्क अधिनियम, 1962 (1962 का 52) की धारा 9 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, अपनी अधिसूचना सं० 122/82-सीमाशुल्क, तारीख 24 अप्रैल, 1982 को विखण्डित करता है।

[फा० सं० 473/48/84-सीमाशुल्क-7]  
टी० एच० के० घौरी, अवर् सचिव

## CENTRAL BOARD OF EXCISE AND CUSTOM

New Delhi, the 14th April, 1984

NO. 104/84-CUSTOMS

S.O. 1216.—In exercise of the powers conferred by section 9 of the Customs Act, 1962 (52 of 1962), the Central Board of Excise and Customs hereby rescinds its notification No. 122/82-Customs, dated the 24th April, 1982.

[F. No. 473/48/84-CUS. VII]  
T. H. K. GHOURI, Under Secy.

## (आर्थिक कार्य विभाग)

नई दिल्ली, 28 मार्च, 1984

का०आ० 1217.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम 1976 के नियम 10 के उप नियम (4) के अनुसरण में आर्थिक कार्य विभाग के अधीन भारतीय जीवन बीमा निगम के निम्नलिखित कार्यालयों को, जिनके कर्मचारीवृन्द ने हिन्दी का कार्यमाध्यक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

1. भारतीय जीवन बीमा निगम, मण्डल कार्यालय, नागपुर
2. भारतीय जीवन बीमा निगम, मण्डल कार्यालय, राजकोट

[संख्या ई-11011/1/84-हि०का०क०]  
एल०के० मल्होत्रा, उप सचिव

(Department of Economic Affairs)

New Delhi, the 28th March, 1984

S.O. 1217.—In pursuance of Sub-rule (4) of Rule 10 of the Official Language (Use for official purposes of the Union) Rules, 1976 the Central Government hereby notify the following offices of Life Insurance Corporation of India of Department of Economic Affairs, the staff whereof have acquired working knowledge of Hindi :—

1. Life Insurance Corporation of India, Divisional Office, Nagpur;
2. Life Insurance Corporation of India, Divisional Office, Rajkot.

[No. E. 11011/1/84-HIC]  
L. K. MALHOTRA, Dy. Secy.

(बैंकिंग प्रभाग)

नई दिल्ली, 28 मार्च, 1984

का०आ० 1218.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार भारतीय रिजर्व बैंक की सिफारिश पर एतद्वारा यह घोषणा करती है कि उक्त अधिनियम की तृतीय अनुसूची में दिए गए प्रारूप के साथ संलग्न टिप्पणी (एफ०) के उपबंध में निम्नलिखित बैंकों पर, जहाँ तक कि 31 दिसम्बर, 1983 को उनके तुलन पत्रों का संबंध है, लागू नहीं होंगे :—

1. इंडियन बैंक
2. बैंक आफ महाराष्ट्र
3. दि बैंक आफ राजस्थान लि०
4. देना बैंक
5. यूनियन बैंक आफ इंडिया
6. विजया बैंक
7. सांगली बैंक लि०

[संख्या 15/5/84-बी ओ-III]

माधव वैद्य, अवर सचिव

(Banking Division)

New Delhi, the 28th March, 1984

S.O. 1218.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government hereby declares that the provisions of Note (f) appended to the form 'A' in the Third Schedule of the said Act shall not apply to the following banks viz :—

1. Indian Bank,
2. Bank of Maharashtra,
3. The Bank of Rajasthan Ltd.,
4. Dena Bank,
5. Union Bank of India,
6. Vijaya Bank,
7. Sangli Bank Ltd.

In respect of their balance sheet as on the 31st December, 1983.

[No. 15/5/84-BO.III]

M. R. VAIDYA, Under Secy.

नई दिल्ली, 29 मार्च, 1984

का०आ० 1219.—भारतीय औद्योगिक विकास बैंक अधिनियम, 1964 (1964 का 18) की धारा 6 की उपधारा (1) के खंड (ग) के उपखण्ड (II) के अनुसरण में केन्द्रीय सरकार एतद्वारा श्री बी० दीक्षित, अध्यक्ष और प्रबंध निदेशक, भारतीय औद्योगिक पुनर्निर्माण नियम लि०, कलकत्ता को श्री टी० तिवारी के स्थान पर भारतीय औद्योगिक विकास बैंक का निदेशक नामित करती है।

[संख्या एफ० 9/2/84-बी०ओ-1]

च०वा० मीरचन्दानी, निदेशक

New Delhi, the 29th March, 1984

S.O. 1219.—In pursuance of sub-clause (ii) of clause (c) of sub-section (1) of section 6 of the Industrial Development Bank of India Act, 1964 (18 of 1964), the Central Government hereby nominates Shri V. Dixit, Chairman and Managing Director, Industrial Reconstruction Corporation of India Ltd., Calcutta as the Director of the Industrial Development Bank of India vice Shri T. Tiwari.

[No. F. 9/2/84-BO.I]

C. W. MIRCHANDANI, Director

## वाणिज्य मंत्रालय

नई दिल्ली, 14 अप्रैल, 1984

का०आ० 1220.—केन्द्रीय सरकार, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 17 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, वाणिज्य मंत्रालय के का०आ० 2910 तारीख 10 सितम्बर, 1977 में भारत के राजपत्र में प्रकाशित पिसी हुई हड्डियों, खुरों तथा सीगों के निर्यात (निरीक्षण) नियम, 1977 में आगे और संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात् :—

1. (1) इन नियमों का नाम पिसी हुई हड्डियों, खुरों तथा सीगों का निर्यात (क्वालिटी नियंत्रण और निरीक्षण) संशोधन नियम, 1984 है;

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. (i) पिसी हुई हड्डियों, के खुरों निर्यात (निरीक्षण) नियम, 1977 में (i) के नियम 4 के उप नियम (4) "निरीक्षण की प्रक्रिया" के स्थान पर निम्नलिखित प्रतिस्थापित किया जायगा, अर्थात् :—

"(4) पिसी हुई हड्डियों, खुरों तथा सीगों से भरे थैलों का धूसीकरण 24 घंटों की आरक्षित अवधि के लिए मैथाइल ब्रोमाइड 22 ग्राम मात्रा प्रति क्यूबिक मीटर या 1.5 पौंड प्रति क्यूबिक फिट या न्यूनतम 72 घंटों की आरक्षित अवधि के लिए एल्यूमिनियम फास्फाइड का 9 ग्राम प्रति मीटरिक टन या 48 घंटों की आरक्षित अवधि के लिए मैथाइल ब्रोमाइड तथा इथैलिन डाइब्रोमाइड 32 ग्राम मात्रा प्रति क्यूबिक मीटर 1 : 1 के अनुपात से मिलाकर गैस टाइट डक्कन के अधीन जैसा भी निर्यातकर्ता चाहे किया जाएगा।"

(ii) नियम 6 में खंड (ख) के पश्चात् निम्नलिखित अन्तः स्थापित किया जाएगा, अर्थात् :—

"(ग) यदि मैथाइल ब्रोमाइड तथा इथैलिन डाइब्रोमाइड धूस्रक के रूप में बराबर प्रयुक्त किया जाता है तो 6 रुपए प्रति टन।"

[मिसिल संख्या 6(5)/83-ई आई एंड ई पी]

पाद टिप्पण : —का०आ० 2910 दिनांक 10-9-1977।

## MINISTRY OF COMMERCE

New Delhi, the 14th April, 1984

S.O. 1220.—In exercise of the powers conferred by section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963) the Central Government hereby makes the following rules further to amend the Export of Crushed Bones, Hooves and Horns (Inspection) Rules, 1977, published in the Gazette of India in the Ministry of Commerce S.O. 2910 dated 10th September, 1977 namely :—

1. (1) These rules may be called the Export of Crushed Bones, Hooves and Horns (Inspection) Amendment Rules, 1984.

(2) They shall come into force on the date of their publication in the official gazette.

2. (1) In the Export of Crushed Bones, Hooves and Horns (Inspection) Rules, 1977 (C) for sub-rule (4) of rule 4 "Procedure of Inspection", the following shall be substituted, namely :—

"(4) The fumigation of bags filled with crushed bone, hooves and horns shall be done with Methyl Bromide by using a dose of 22 gms. per cubic metre (or 1.5 per 1000 cubic feet) with an exposure period of 24 hrs. or with aluminium phosphide using 9 gms. per metric tonne for minimum exposure of 72 hours or with 1 : 1 ratio of Methyl Bromide and Ethylene Dibromide by using a dose of 32 gms. per cubic metre with an exposure period of 48 hrs. under gas tight covers, as may be desired by the exporter."

(ii) rule 6, after clause (b) the following shall be inserted namely :—

"(c) Rs. 6 per tonne if Methyl Bromide and Ethylene Dibromide is used in equal proportion as a fumigant."

[F. No. 6(5)/83-EI&amp;EP]

Note.—S.O. 2910 Dated 10-9-1977.

नई दिल्ली, 28 मार्च, 1984

आदेश

का०आ० 1221—भारत के निर्यात व्यापार के विकास के लिए दिया-सलाई को निर्यात से पूर्व क्वालिटी नियंत्रण और निरीक्षण करने के लिए कतिपय प्रस्ताव, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम 11 के उपनियम (2) की अपेक्षानुसार, भारत सरकार के वाणिज्य मंत्रालय के आदेश सं० का०आ० 3912 तारीख 15 अक्तूबर, 1983 के अधीन भारत के राजपत्र भाग-II, खण्ड 3, उपखण्ड (ii) तारीख 15 अक्तूबर, 1983 में प्रकाशित किए गए थे;

और उक्त आदेश के राजपत्र में प्रकाशित होने की तारीख से पचास दिन के भीतर उन सभी व्यक्तियों से आक्षेप और सुझाव मांगे गए थे, जिनके उनसे प्रभावित होने का संभावना थी;

और उक्त राजपत्र की प्रतियाँ जनता को 19-10-83 से उपलब्ध करा दी गई थी;

और उक्त प्रस्ताव पर जनता से कोई भी आक्षेप या सुझाव प्राप्त नहीं हुए हैं ;

अतः केन्द्रीय सरकार निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निर्यात निरीक्षण परिषद् से परामर्श करने के पश्चात् अपनी यह राय हाने पर कि भारत के निर्यात व्यापार के विकास के लिए

ऐसा करना आवश्यक और समीचीन है;

(1) अधिसूचित करती है कि दियासलाई को निर्यात से पूर्व क्वालिटी नियंत्रण और निरीक्षण किया जाएगा,

(2) दियासलाई के, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1984 के अनुसार क्वालिटी नियंत्रण और निरीक्षण के प्रकार को क्वालिटी नियंत्रण और निरीक्षण के ऐसे प्रकार के रूप में विनिर्दिष्ट करती है जो निर्यात से पूर्व ऐसी दियासलाई को लागू होगा,

(3) (क) राष्ट्रीय और अन्तर्राष्ट्रीय मानकों और निर्यात निरीक्षण परिषद् द्वारा मान्यताप्राप्त अन्य निकायों के मानकों को मान्यता देती है;

(ख) निर्यातकर्ता द्वारा घोषित विनिर्देशों को, विदेशी क्रेता और निर्यातकर्ता के बीच निर्यात संविदा के करार पाए विनिर्देशों के रूप में मान्यता देती है। परन्तु यह तब जब कि वे स्वयं (क) में विनिर्दिष्ट मानकों से नीचे नहीं हैं।

टिप्पण: जब निर्यात संविदा में विस्तृत तकनीकी अपेक्षाएं नहीं दी गई हैं या वह केवल नमूनों पर ही आधारित है तो निर्यातकर्ता लिखित विनिर्देश प्रस्तुत करेगा।

(4) अन्तर्राष्ट्रीय व्यापार अनुक्रम में ऐसी दियासलाईओं के निर्यात को तब तक प्रतिबद्ध करती है जब तक कि उनके साथ निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 के अधीन केन्द्रीय सरकार द्वारा स्थापित अभिकरण द्वारा जारी किया गया इस आशय का प्रमाण-पत्र नहीं है कि दियासलाईयों उपरोक्त मानक विनिर्देशों के अनुरूप हैं और निर्यात योग्य हैं, या उन पर उक्त अधिनियम की धारा 8 के अधीन केन्द्रीय सरकार द्वारा मान्य प्राप्त चिन्ह या सील बिपकाए गए हैं।

2. इस आदेश की कोई भी बात भावी केनाओं को भू-मार्ग, वायु-मार्ग या जल मार्ग द्वारा दियासलाईयों के वास्तविक नमूनों के निर्यात को लागू नहीं होगी परन्तु यह तब जब कि ऐसे परेपण का पोत-पर्यन्त निशुल्क मूल्य एक सौ पच्चीस रुपए से अधिक नहीं है।

3. इस आदेश में "दियासलाई" से लकड़ी या मोम की परत चड़ी कागज की तीलियों अभिप्रेत है जिनके शीर्ष लम्ब उन्नत करने वाले हैं जो केवल प्रयोग की विनिर्दिष्ट दशा में विशेष रूप से तैयार की गई वर्षण सतह पर रगड़ने पर मुलेशी।

नई दिल्ली, 28 मार्च, 1984

अधिसूचना

का०आ० 1221(क).—केन्द्रीय सरकार, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 17 की उपधारा (2) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निम्नलिखित नियम बनाती है, अर्थात् :—

1. संक्षिप्त नाम और प्रारम्भ—(1) इन नियमों का संक्षिप्त नाम दियासलाई निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1984 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. परिभाषाएं—इन नियमों में जहाँ कि संदर्भ में अन्यथा अपेक्षित न हो,—

(क) "अधिनियम" से निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) अभिप्रेत है;

(ख) "अभिकरण" से अधिनियम की धारा 7 के अधीन कोचीन, मद्रास, कलकत्ता, मुम्बई या दिल्ली में स्थापित अभिकरणों में से कोई एक अभिकरण अभिप्रेत है;

(ग) "परिषद्" से अधिनियम की धारा 3 के अधीन स्थापित है;

(घ) "दियासलाई" से निकड़ी या मोम की परत चड़ी कागज की तीलियाँ अभिप्रेत हैं, जिनके शीर्ष लपट उत्पन्न करने वाले हैं जो तेल प्रवाह की विनिर्दिष्ट दशा में विशेष रूप से तैयार की गई धर्पण भन्त पर रगड़ने से मुक्त होती।

(ङ) "अनुसूची" से इन नियमों से संलग्न अनुसूची अभिप्रेत है।

3. निरीक्षण का आधार:—दियासलाई का निरीक्षण यह सुनिश्चित करने की दृष्टि से किया जाएगा कि उसकी क्वालिटी केन्द्रीय सरकार द्वारा अधिनियम की धारा 6 के अधीन मान्यताप्राप्त विनिर्देशों अधीन—

- (i) राष्ट्रीय या अन्तर्राष्ट्रीय मानकों और नियमित निरीक्षण परिषद् द्वारा मान्यताप्राप्त अन्य निकायों के मानकों के अनुरूप है;
- (ii) विदेशी क्रेता और निर्यातकर्ता के बीच नियमित सविदा के करार पाए गए विनिर्देशों के रूप में नियमितकर्ता द्वारा घोषित विनिर्देशों के अनुरूप है परन्तु यह तब जब कि वे परिषद् द्वारा खंड (i) में विनिर्दिष्ट मानक से नीचे नहीं हैं;

या तो

(क) यह सुनिश्चित करके कि उत्पाद का विनिर्माण इन नियमों के परिशिष्ट 'क' में विनिर्दिष्ट के अनुरूप प्रक्रिया के दौरान आवश्यक क्वालिटी नियंत्रण का प्रयोग करते हुए किया गया है।

या

(ख) इन नियमों के परिशिष्ट-ख' में विनिर्दिष्ट ढंग से किए गए निरीक्षण और परीक्षण के आधार पर।

4. निरीक्षण की प्रक्रिया:—(1) दियासलाई के परेषण का निर्यात करने का हस्तक्षेप निर्यातकर्ता निर्यात सविदा या आदेश या प्रत्यय पत्र की एक प्रति सविदात्मक विनिर्देशों का धोरा देने हुए अभिकरण को लिखित रूप में सूचना देगा ताकि अभिकरण नियम 3 के अनुसार निरीक्षण कर सके।

(2) परिशिष्ट-क में अधिकथित प्रक्रिया के दौरान क्वालिटी नियंत्रणों का प्रयोग करते हुए दियासलाई के निर्यात के लिए और अभिकरण द्वारा गठित विशेषज्ञों के पैनल/परिषद् द्वारा यह न्याय निर्णय करने पर कि विनिर्माता के पास प्रक्रिया के दौरान पर्याप्त क्वालिटी नियंत्रण क्लिप्स हैं निर्यातकर्ता उपनियम (1) में उल्लिखित सूचना के साथ एक घोषणा भी देगा कि निर्यात के लिए आशियन दियासलाई का परेषण परिशिष्ट-क में अधिकथित पर्याप्त क्वालिटी नियंत्रण का प्रयोग करते हुए विनिर्मित किया गया है और परेषण इस प्रयोजन के लिए मान्यताप्राप्त मानक विनिर्देशों के अनुरूप रहे।

(3) निर्यातकर्ता निर्यात किए जाने वाले परेषण पर लगाए गए पहचान चिह्न भी अभिकरण को देगा।

(4) उपरोक्त उपनियम (1) के अधीन, प्रत्येक सूचना विनिर्माता के परिसर से परेषणों के भेजे जाने से कम से कम सात दिन पूर्व दी जाएगी जबकि उपनियम (2) के अधीन घोषणा सहित सूचना विनिर्माता के परिसर से परेषण को भेजे जाने से कम से कम तीन दिन पूर्व दी जाएगी।

(5) उपनियम (1) के अधीन सूचना और उपनियम (2) के अधीन घोषणा यदि कोई हो, प्राप्त होने पर अभिकरण:—

(क) अपना यह समाधान कर लेने पर कि विनिर्माण की प्रक्रिया के दौरान विनिर्माता ने परिशिष्ट-क में अधिकथित पर्याप्त क्वालिटी नियंत्रण का प्रयोग किया था और इस प्रयोजन के लिए मान्यताप्राप्त मानक विनिर्देशों के अनुरूप उत्पाद का विनिर्माण करने के लिए इस संबंध में अभिकरण/परिषद् द्वारा जारी किए गए अनुदेशों का, यदि कोई हो, पालन किया है तीन दिन के भीतर यह घोषित करते हुए, प्रमाण-पत्र जारी करेगा कि दियासलाई का परेषण निर्यात योग्य है। जहां विनिर्माता निर्यातकर्ता नहीं है वहां परेषण का भौतिक रूप सत्यापन किया जाएगा और अभिकरण

द्वारा ऐसा सत्यापन और निरीक्षण यदि आवश्यक हो यह सुनिश्चित करने के लिए किया जाएगा कि उपरोक्त बातों का पालन किया गया है परन्तु यह कि अभिकरण निर्यात के लिए आयोजित परेषणों में से कुछ परेषणों का स्थल पर जांच करेगा और विनिर्माण यूनिटों द्वारा अपनाई गई प्रक्रिया के दौरान क्वालिटी नियंत्रण क्लिप्स की पर्याप्तता के अनुरक्षण का सत्यापन करने के लिए नियमित अन्तरालों पर यूनिटों में भी जाएगा। यदि यह पाया जाता है कि उपरोक्त यूनिट विनिर्माण के किसी भी प्रक्रम पर अपेक्षित क्वालिटी नियंत्रण संबंधी उपायों को प्रयोग नहीं करता है तो परिषद्/अभिकरण के अधिकारियों की सिफारिश पर यह घोषित किया जाएगा कि यूनिट के पास उत्पादन के दौरान पर्याप्त क्वालिटी नियंत्रण क्लिप्स नहीं हैं। ऐसी दशाओं में, यूनिट उसके द्वारा अपनाई गई प्रक्रिया के दौरान क्वालिटी नियंत्रण क्लिप्स की पर्याप्तता का अनुमोदन प्राप्त करने के लिए फिर से आवेदन करेगा।

(ख) ऐसे मामले में जहां निर्यातकर्ता ने उपनियम (2) के अधीन यह घोषित नहीं किया है कि परिशिष्ट-क में अधिकथित पर्याप्त क्वालिटी नियंत्रणों का प्रयोग किया गया है वहां अपना यह समाधान कर लेने पर कि दियासलाई का परेषण परिशिष्ट-ख' में अधिकथित निरीक्षण/परीक्षण के आधार पर या दोनों के आधार पर मान्यताप्राप्त मानक विनिर्देशों के अनुरूप है तो ऐसा निरीक्षण करने के सात दिन के भीतर यह घोषित करते हुए, प्रमाण-पत्र जारी करेगा कि दियासलाई का परेषण निर्यात योग्य है।

परन्तु जहां अभिकरण का इस प्रकार समाधान नहीं होता है, वहां वह निर्यातकर्ता को ऐसा प्रमाण-पत्र जारी करने से इंकार कर देगा और ऐसे इंकार की सूचना उसके कारणों सहित निर्यातकर्ता को सात दिन के भीतर लिखित रूप से देगा।

(6) जहां विनिर्माता निर्यातकर्ता नहीं है या परेषण का उपनियम (5) के खंड (ख) के अधीन निरीक्षण किया गया है वहां अभिकरण निरीक्षण की समाप्ति के तुरंत पश्चात् परेषण के पैकेजों को यह सुनिश्चित करने के लिए इन ढंग से सीलबन्द करेगा कि सीलबंद पैकेजों में गड़बड़ी न की जा सके।

(7) परेषण की अस्वीकृति की दशा में, यदि निर्यातकर्ता ऐसा चाहता है तो परेषण अभिकरण द्वारा सीलबन्द नहीं किया जाए और ऐसे मामलों में निर्यातकर्ता अस्वीकृति के बिकट अपील करने का हकदार नहीं होगा।

5. मान्यताप्राप्त चिह्न लगाता और उसकी प्रक्रिया:—भारतीय मानक संस्था (प्रमाणन चिह्न) अधिनियम, 1952 (1952 का 36) भारतीय मानक संस्था (प्रमाणन चिह्न) नियम, 1955 और भारतीय मानक संस्था (प्रमाणन चिह्न) विनियम, 1955 के उपबंध जहां तक संभव हो, दियासलाई पर मान्यताप्राप्त चिह्न या मुद्रा को लगाने की प्रक्रिया के संबंध में लागू होंगे:—

6. निरीक्षण का स्थान:—इन नियमों के अधीन प्रत्येक निरीक्षण या तो:

- (क) ऐसे उत्पादों के विनिर्माता के परिसरों पर किया जाएगा, या
- (ख) ऐसे परिसरों पर किया जाएगा जहां निर्यातकर्ता से मास प्रस्तुत करता है, परन्तु यह तब जब कि वहां निरीक्षण के लिए पर्याप्त सुविधाएं विद्यमान हों।

7. निरीक्षण फीस:—निर्यातकर्ता अभिकरण को निम्नानुसार निरीक्षण फीस देगा:—

(1) (क) प्रक्रिया के दौरान क्वालिटी नियंत्रण स्कीम के अधीन निर्यात के लिए प्रति परेषण कम से कम 20 रुपए के अधीन रहते हुए, पोत पर्यन्त निःशुल्क मूल्य के 0.2 प्रतिशत की दर से;

(ख) परेषणानुसार निरीक्षण के अधीन निर्यात के लिए प्रति परेषण कम से कम 20 रुपए के अधीन रहते हुए, पोत पर्यन्त निःशुल्क मूल्य के 0.4% दर से;

(ग) उन विनिर्माता/निर्यातकर्ताओं के लिए जो राज्यों/संघ राज्य क्षेत्रों की संबंधित सरकारों के पास मधु उद्योग प्लांटों के रूप में रजिस्ट्रीकृत हैं प्रति परेक्षण कम से कम 20 रूपए के अधीन रहते हुए; (क) और (ख) के लिए दर कम से कम 0.18 प्रतिशत और 0.36 प्रतिशत होगी।

8. अपील-(1) नियम (4) के उपनियम (5) के अधीन प्रमाणपत्र देने में इंतजार किए जा रहे व्यक्ति कोई भी व्यक्ति ऐसे प्रकार की सूचना प्राप्त होने के दस दिन के भीतर केंद्रीय सरकार द्वारा इस प्रयोजन के लिए नियुक्त पैनल को जिसमें कम से कम तीन और अधिक से अधिक मान्यता प्राप्त विशेषज्ञ शामिल कर सकता है।

(2) विशेषज्ञ पैनल की कुल सदस्यता के कम से कम दो तिहाई सदस्य गैर सरकारी होंगे।

(3) पैनल की गणपूर्ति तीन सदस्यों से होगी।

(4) अपील प्राप्त होने के पंद्रह दिन के भीतर निपटाई जाएगी।

#### परिणियम-क

[नियम 3(क) देखिए]

प्रक्रिया के दौरान क्वालिटी नियंत्रण:

दियामनाई का क्वालिटी नियंत्रण विनिर्माता द्वारा इससे संबंधित अनुसूची में दिए गए नियंत्रण के स्तरों सहित नीचे अधिस्थित उत्पाद के विनिर्माण परिरक्षण और पैकेज के विभिन्न स्तरों पर निम्नलिखित नियंत्रणों का प्रयोग करके सुनिश्चित किया जाएगा।

(1) त्रय विनिर्देश और कच्ची सामग्री नियंत्रण—

(क) प्रयोग की जाने वाली कच्ची सामग्री के गुण समाविष्ट करने हुए, त्रय विनिर्देश विनिर्माता द्वारा अधिस्थित किए जाएंगे।

(ख) स्वीकृत परेक्षण के साथ विनिर्देशों की अपेक्षाओं की संतुष्टि करते हुए या तो प्रमाणपत्रों का परीक्षण और निरीक्षण प्रमाणपत्र होगा जिस दशा में विनिर्देश प्रशिक्षकों के लिए केमेट द्वारा 10 परेक्षणों में से कम से कम एक बार कालिक जांच पूर्वांक परीक्षण या निरीक्षण प्रमाणपत्र की शुद्धता को सत्यापित करने के लिए।

#### अनुसूची

नियंत्रण के स्तर

[उप पैरा (II) (ग) देखिए]

क्रम सं०	विशेषताएं	अपेक्षाएं	आवृत्ति	टिप्पणी
1. (क) खपच्चियों की विभाज		इस प्रयोजन के लिए मान्यताप्राप्त मानक विनिर्देश	प्रत्येक 2 घंटे में 25 खपच्चियां	—
(ख) डिब्बों के लिए आयोजित लकड़ी कागज की मोटाई		इस प्रयोजन के लिए मान्यताप्राप्त मानक विनिर्देश	प्रत्येक घंटे के पश्चात् 10 स्थान	—
2. विभाज, कार्यक्षेत्र और फिनिश		इस प्रयोजन के लिए मान्यताप्राप्त मानक विनिर्देश	प्रत्येक घंटे के पश्चात् 10 नमूने	—
(क) सीलियां				
(ख) डिब्बियां				

की जाएगी या त्रय की गई सामग्री का या तो कारखाने की प्रयोगशाला में या किसी बाह्य प्रयोगशाला या परीक्षण गृह में नियमित रूप से परीक्षण और निरीक्षण किया जाएगा।

(ग) निरीक्षण या परीक्षण के लिए नमूनों का लिया जाना लेखबद्ध अनुदेशों पर आधारित होगा।

(घ) निरीक्षण या परीक्षण किए जाने के पश्चात् स्वीकृत या अस्वीकृत गाल के पृथक्करण के लिए और अस्वीकृत सामग्री का निपटारा करने के लिए व्यवस्थित पद्धतियां अपनाई जाएंगी।

(ङ) उपरोक्त नियंत्रणों के संबंध में विनिर्माता द्वारा अभिलेख नियमित और व्यवस्थित ढंग से रखे जाएंगे।

(II) प्रक्रिया नियंत्रण—

(क) विनिर्माण के विभिन्न प्रक्रमों के लिए विनिर्माता द्वारा व्योरे-वार प्रक्रिया विनिर्देश अधिस्थित किए जाएंगे।

(ख) प्रक्रिया विनिर्देश में अधिस्थित प्रक्रमों के नियंत्रण के लिए पर्याप्त उपकरण और उपकरण सुविधाएं होंगी।

(ग) विनिर्माण की प्रक्रिया के दौरान प्रयुक्त नियंत्रणों के सत्यापन की संभावना को सुनिश्चित करने के लिए विनिर्माता द्वारा पर्याप्त अभिलेख रखे जाएंगे।

(III) उत्पाद नियंत्रण—

(क) विनिर्माता के पास यह जांच करने के लिए कि उत्पाद अधिनियम, की धारा 6 के अधीन मान्यताप्राप्त विनिर्देशों के अनुरूप है या तो अपनी परीक्षण सुविधाएं होंगी या उसकी पहुंच यहां तक होगी जहां ऐसी परीक्षण सुविधाएं विद्यमान हों।

(ख) परीक्षण और निरीक्षण करने के लिए नमूनों का लिया जाना लेखबद्ध अनुदेशों पर आधारित होगा।

(ग) परीक्षण के लिए नमूने लेने और किए जाने वाले निरीक्षण के बारे में पर्याप्त अभिलेख नियमित और व्यवस्थित ढंग में रखे जाएंगे। उत्पादों की जांच करने के लिए नियंत्रण के न्यूनतम स्तर नीचे अनुसूची में विनिर्देश के अनुसार होंगे।

(I) परिरक्षण नियंत्रण—

उत्पादों को भण्डारण और अभिषेक दोनों के दौरान अच्छी तरह से परिरक्षित किया जाएगा।

(5) पैकेज नियंत्रण—

पैकेज देखने में सुत्वर होंगे और अभिषेक के दौरान उठाई गई सतह करने के लिए पर्याप्त मजबूत होंगे।

1	2	3	4	5
3.	प्रत्येक डिब्बी में तीलियों की संख्या	इस प्रयोजन के लिए मान्यताप्राप्त मानक विनिर्देश	प्रत्येक घंटे के पश्चात् 12 डिब्बियां	—
4.	दियासलाई सिरा (क) डिब्बी के आधार कोई भी सिरा नहीं निकलेगा (ख) जब डिब्बी की धरपेण सतह पर सिरा रखा जाता है तो बिना बिगारी छोड़े ज्वलित होगा और दियासलाई के सिरे उड़ेंगे नहीं।	इस प्रयोजन के लिए मान्यता प्राप्त मानक विनिर्देश	कम से 5 पर दी गई डिब्बियों में दी गई दियासलाई का 10%	—
5.	धरपेण सतह	इस प्रयोजन के लिए मान्यताप्राप्त मानक विनिर्देश	प्रत्येक घंटे के पश्चात् 12 डिब्बियां	—
6.	दोषपूर्ण डिब्बियां टूटी हुई या ढीली फिट की हुई	इस प्रयोजन के लिए मान्यताप्राप्त मानक विनिर्देश	प्रत्येक घंटे के पश्चात् 12 डिब्बियां	—
7.	बेकार सलाइयां बुरी तरह बिखुर सिरे, टूटे फूटे सिरे, दोहरे, टूटी हुई खगिचियां	इस प्रयोजन के लिए मान्यताप्राप्त मानक विनिर्देश	कम से 5 पर दी गई डिब्बियों में दी गई सलाइयों का 10 %	—
8.	सुरक्षा परीक्षण	इस प्रयोजन के लिए मान्यताप्राप्त मानक विनिर्देश	प्रति 8 घंटे के उत्पादन या उसके भाग के लिए 100 डिब्बियां	—
9.	170° में टेंटीविट से कम ज्वलन	इस प्रयोजन के लिए मान्यताप्राप्त मानक विनिर्देश	प्रति 8 घंटे के उत्पादन के या उसके भाग के लिए 10 दियासलाईयां	—
10.	संघात के अर्धान ज्वलन	इस प्रयोजन के लिए मान्यता प्राप्त मानक विनिर्देश	प्रति 8 घंटे के उत्पादन के या उसके भाग के लिए 10 दियासलाई	—
11.	जलन की क्षमालिटी	इस प्रयोजन के लिए मान्यताप्राप्त मानक विनिर्देश	प्रति 8 घंटे के उत्पादन या उसके भाग के लिए 100 सलाइयां	—
12.	धरपेण सतह की दियाई क्षमता	इस प्रयोजन के लिए मान्यताप्राप्त मानक विनिर्देश	प्रति 8 घंटे के उत्पादन या उसके भाग के लिए 15 डिब्बियां	—
13.	आर्देना सतहता	इस प्रयोजन के लिए मान्यताप्राप्त मानक विनिर्देश	प्रति 8 घंटे के उत्पादन या उसके भाग के लिए 15 डिब्बियां	—

## परिशिष्ट-अ

## सारणी II

## 1. परेपणानुसार निरीक्षण

1.1 दियासलाई के परेपण का निरीक्षण और परीक्षण यह सुनिश्चित करने के लिए किया जाएगा कि वे अधिनियम की धारा 6 के अधीन मान्यता प्राप्त मानक विनिर्देशों के अनुरूप हैं।

1.2 सविन्यासक विनिर्देशों में नमूना मानदंड की वास्तविक विनिर्दिष्ट अनुबन्ध के अभाव में नीचे दी गई सारणी-I में अधिकृत विनिर्देश लागू होंगे।

## सारणी-I

## नमूना मापदण्ड

लाट का प्रकार	चुने जाने वाले डिब्बों की संख्या
1	2
3 से 25	3
26 से 50	4
51 से 100	5
101 से 150	6
151 और उससे अधिक	7

लाट—एक ही परेपण में एक ही प्रकार की नामचीन वाली सभी डिब्बें एक ही लाट होंगी।

1.3 उपरोक्त सारणी-I के अनुसार सहसा चुने गए सभी डिब्बों में से सारणी II के डिब्बों के आधार पर निर्धार करने हुए पैकेटों की संख्या सहसा चुनी जाएगी।

डिब्बी के पैकेटों की संख्या	चुने जाने वाले पैकेटों की संख्या
12	3
60	4
120	5

1.4 1.3 में से प्रत्येक पैकेट खोलिए और प्रत्येक पैकेट में से सहसा चार दियासलाई की डिब्बियां निकालिए। पैकेटों में से इस प्रकार चुनी हुई डिब्बियां एक नमूना होंगी। इन डिब्बियों को फिर सभी डिब्बियों की बराबर संख्या में दो सैटों में सहसा विभाजित किया जाएगा एक सैट का परीक्षण किया जाएगा और दूसरा सैट नमूने के लिए होगा।

1.5 परीक्षणों की संख्या और अनुरूपता के लिए मानदण्ड, यदि नियमित संविदा में अन्यथा विनिर्दिष्ट नहीं है तो संबंधित भारतीय मानक विनिर्देशों या अन्य राष्ट्रीय मानकों के अनुसार होंगे।

1.6 परीक्षण की प्रणाली—यदि दियासलाई की निष्पादन अपेक्षा के लिए परीक्षा प्रणाली नियमित संविदा में विनिर्दिष्ट नहीं है तो यह समंगत भारतीय मानक विनिर्देशों या अन्य राष्ट्रीय मानकों में विनिर्दिष्ट के अनुसार होगी।

1.7 पैकिंग—यदि नियमित संविदा में विनिर्दिष्ट नहीं है तो दियासलाई की डिब्बों की पैकिंग नीचे दिए गए के अनुसार होगी:—

बारह डिब्बियां उपयुक्त कागज में सपेटी जाएंगी, अधिमनल : नीले रंग का कागज होगा जिसे कमा हुआ पैकेट बनाने के लिए श्वेत प्रकाश से चिपकाया या सरेन लगाया जाएगा। साठ पैकेट विटुमन पटलित जलसह

धामेदार कागज में पैक किए जाएंगे और डिब्बे को कसा हुआ बनाते के लिए भले प्रकार चिपकाया या सरेस लगाया जाएगा। दियासलाई को प्रत्येक डिब्बे प्रत्येक पैकेट और प्रत्येक डिब्बे पर एक लेबल चिपकाया जाएगा जिस पर विनमता का नाम और व्यापार चिह्न, यदि कोई है, दिया हुआ होगा।

प्रत्येक दियासलाई की डिब्बे पर डिब्बे में रखी दियासलाई की संख्या दी जाना चाहिए।

[सं० 6 (12)/82-ई आई एण्ड ई पी]

नई दिल्ली, 28 मार्च, 1984

का० ग्रा० 1221(ख)--केन्द्रीय सरकार ने, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 8 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, दियासलाई के संबंध में भारतीय मानक संस्थान प्रमाण चिह्न को मान्यता देने के लिए एक प्रस्तापना निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम 1964 के नियम-II के उप-नियम (2) की अपेक्षाानुसार भारत सरकार के वाणिज्य मंत्रालय की अधिसूचना सं० का० ग्रा० 3913 तारीख 15 अक्टूबर, 1983 के अधीन भारत के राजपत्र-भाग 2, खण्ड 3, उप खण्ड (ii) तारीख 15 अक्टूबर, 1983 में प्रकाशित की थी;

और उक्त अधिसूचना के राजपत्र में प्रकाशित होने के 45 दिन के भीतर उन सभी व्यक्तियों से कोई आक्षेप और मुन्नाव प्राप्त नहीं हुए थे, जिनके उनसे प्रभावित होने की संभावना थी;

और उक्त राजपत्र की प्रतियां जनता को 19-10-83 को उपलब्ध करा दी गई थी;

अतः केन्द्रीय सरकार, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का-22) की धारा 8 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह होतन करने के प्रयोजन के लिए दियासलाई के के संबंध में भारतीय मानक संस्थान प्रमाणन चिह्न को मान्यता देने का प्रस्ताव करती है कि जहां दियासलाई पर ऐसे चिह्न लगाए जाते हैं या चिपकाए जाते हैं उक्त अधिनियम की धारा 6 के खण्ड (ग) के अधीन उस पर लागू होने वाले मानक विनिर्देश के अनुरूप समझे जायेंगे।

स्पष्टीकरण:—इस अधिसूचना में दियासलाई से लकड़ी या मोम की परत चढ़ी कागज की तीलियां अभिप्रेत हैं जिनके शीर्ष लपट उत्पन्न करने वाले हैं जो केवल प्रयोग की विनिर्दिष्ट दशा में विशेष रूप से तयार की गई चर्बण सतह पर रगड़ने पर सुलभगी।

[सं० 6 (12)/82-ई आई एण्ड ई पी]  
सी०वी० कुकरेती, संयुक्त निदेशक

New Delhi, the 28th March, 1984

### ORDER

S.O. 1221.—Whereas for the development of the export trade of India, certain proposals for subjecting Safety Matches to quality control and inspection prior to export were published as required by sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules, 1964, in the Gazette of India, Part-II, Section 3, sub-section (ii), dated the 15th October, 1983, under the Order of the Government of India in the Ministry of Commerce No. S.O. 3912, dated the 15th October, 1983;

And whereas the objections and suggestions were invited from all persons likely to be affected thereby within 45 days of the publication of the said Order in the Official Gazette;

And whereas the copies of the said Gazette were made available to the public on the 19th October, 1983.

And whereas no objections or suggestions have been received from the public on the said draft proposals;

Now, therefore, in exercise of the powers conferred by section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government, after

consultation with the Export Inspection Council, being of opinion that it is necessary and expedient so to do for the development of the export trade of India, hereby:—

(1) notifies that safety matches shall be subject to quality control and inspection prior to export;

(2) specifies the type of quality control and inspection in accordance with the Export of Safety Matches (Quality Control and Inspection) Rules, 1984, as the type of quality control and inspection which shall be applied to such safety matches prior to export;

(3) recognises:—

(a) National and International Standards and Standards of other bodies recognised by Export Inspection Council;

(b) The specifications declared by the exporter to be the agreed specifications of the export contract between the foreign buyer and the exporter, provided that the same are not below the standard specified in clause (a).

NOTE.—When the export contracts does not indicate detailed technical requirements or is based only on samples, the exporter should furnish a written specifications.

(4) prohibits the export in the course of international trade of such safety matches unless the same is accompanied by a certificate issued by an agency established by the Central Government under section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), to the effect that the safety matches conform to the aforesaid standard specifications and is exportworthy, or are affixed with a seal or mark recognised by the Central Government under section 8 of the said Act.

2. Nothing in this Order shall apply to the export by land, sea or air of bonafide samples of safety matches to the prospective buyers provided the FOB value of the consignment does not exceed rupees one hundred and twenty five.

3. In this Order "Safety Matches" means matches of wooden or wax coated paper sticks having flammable head that can ignite only when struck on a particularly prepared friction surface under specified conditions of use.

New Delhi, the 28th March, 1984

S.O. 1221(A).—In exercise of the powers conferred by clause (d) of sub-section (2) of section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government, hereby makes the following rules, namely:—

1. Short title and commencement.—(1) These rules may be called the Export of Safety Matches (Quality Control and Inspection) Rules, 1984.

(2) These shall come into force on the date of their publication in the official Gazette.

2. Definitions.—In these rules, unless the context otherwise requires:—

(a) "Act" means the Export (Quality Control and Inspection) Act, 1963 (22 of 1963);

(b) "Agency" means any one of the Agencies established under section 7 of the Act at Cochin, Madras, Calcutta, Bombay and Delhi;

(c) "Council" means the Export Inspection Council established under section 3 of the Act;

(d) "Safety Matches" means matches of wooden or wax coated paper sticks having flammable head that can ignite only when struck on a particularly prepared friction surface under specified conditions of use.

- (e) "Schedule" means the Schedule appended to these rules.

3. Basis of Inspection.—Inspection of safety matches shall be carried out with a view to ensuring that the quality of the same conforms to the specifications recognised by the Central Government under section 6 of the Act, namely:—

- (i) National and International Standards and standards of other bodies recognised by the Council;
- (ii) the specifications declared by the exporter to be the agreed specifications of the export contract between the foreign buyer and the exporter, provided that the same are not below the standard specified in clause (i);

either

- (a) by ensuring that the products have been manufactured by exercising necessary inprocess quality control as specified in Appendix-A to these rules.

or

- (b) on the basis of the inspection and testing carried out in the manner specified in Appendix-B to these rules.

4. Procedure of inspection.—(1) An exporter intending to export a consignment of safety matches shall give an intimation in writing to the Agency furnishing therein details of the contractual specifications alongwith a copy of the export contract or order or letter of credit to enable the Agency to carry out inspection in accordance with rule 3.

(2) For export of safety matches manufactured by exercising adequate inprocess quality control as laid down in Appendix-A, and the manufacturer adjudged as having adequate inprocess quality control drills by the Council/Panel of experts constituted by the Agency for this purpose, the exporter shall also submit alongwith the intimation mentioned in sub-rule (1), a declaration that the consignment of safety matches intended for export has been manufactured by exercising adequate quality control as laid down in Appendix-A and that the consignment conforms to the standards specifications recognised for the purpose.

(3) The exporter shall furnish to the Agency the identification mark applied on the consignment to be exported.

(4) Every intimation under sub-rule (1), shall be given not less than seven days prior to the despatch of the consignments from the manufacturer's premises while intimation alongwith the declaration under sub-rule (2) shall be given not less than three days prior to the despatch of the consignment from the manufacturer's premises.

(5) On receipt of the intimation under sub-rule (1) and the declaration, if any, under sub-rule (2), the Agency shall:—

- (a) on satisfying itself, that during the process of manufacture, the manufacturer had exercised adequate quality control as laid down in Appendix-A and followed the instructions if any, issued by the Agency/Council in this regard to manufacture the product to conform to the standard specifications recognised for the purpose, within three days, issue a certificate declaring the consignment of safety matches as exportworthy. Where the manufacturer is not the exporter, the consignment shall be physically verified and such verification and inspection as necessary, shall be carried out by the Agency to ensure that the above conditions are complied with provided that the Agency shall conduct spot checks of some of the consignments meant for export and also visit the units at regular intervals to verify the maintenance of the adequacy of inprocess quality control drills adopted by the manufacturing unit. If the said unit is found not adopting the required quality control measures at any stage of manufacture, on recommendation of the officers of the Council/Agency, the said unit shall be declared as not having adequate inprocess quality control drills. In such cases, the unit shall apply afresh for the approval of the adequacy of inprocess quality control drills adopted by them.

- (b) In case where the exporter has not declare under sub-rule (2) that adequate quality control as laid down in Appendix-A had been exercised, on satisfying itself that the consignment of safety matches conforms to the standard specifications recognised for the purpose, on the basis of inspection/testing carried out as laid down in Appendix-B, or on the basis of both, within seven days of carrying out such inspection, issue a certificate declaring the consignment of safety matches as exportworthy.

Provided that where the Agency is not so satisfied, it shall refuse to issue a certificate to the exporter and communicate in writing such refusal within seven days to the exporter alongwith the reasons therefor.

(6) Where the manufacturer is not the exporter, or the consignment is inspected under clause (b) of sub-rule (5), the Agency shall, immediately after completion of the inspection, seal the packages of the consignment in a manner so as to ensure that the sealed packages cannot be tampered with.

(7) In case of rejection of the consignment, if the exporter so desires, the consignment need not be sealed by the Agency and in such cases the exporter shall not be entitled to prefer any appeal against the rejection.

5. Affixation of recognised mark and procedure thereof:—The provisions of the Indian Standards Institute (Certification Marks) Act, 1952 (36 of 1952), the Indian Standards Institution (Certification Marks) Rules, 1955 and the Indian Standard Institution (Certification Marks) Regulations, 1955, shall, so far as may apply in relation to the procedure of affixation of the recognised mark of seal on safety matches.

6. Place of Inspection.—Every inspection under these rules shall be carried out either—

- (a) at the premises of the manufacturer of such products; or
- (b) at the premises at which the goods are offered by the exporter, provided adequate facilities for inspection exists therein.

7. Inspection Fee.—Inspection fee shall be paid by the exporter to the Agency as under:—

- (i) (a) for exports under inprocess quality control scheme at the rate of 0.2 per cent of the FOB value subject to minimum of Rs. 20 per consignment;
- (b) for exports under consignmentwise inspection at the rate of 0.4 per cent of the FOB value subject to a minimum of Rs. 20 per consignment.
- (ii) Subject to the minimum of Rs. 20 per consignment the rate shall be 0.18 and 0.36 per cent for (a) and (b) respectively for manufacturers/exporters who are registered as Small Scale Manufacturing Units with the concerned Governments of States/Union territories.

8. Appeal.—(1) Any person aggrieved by the refusal of Agency to issue a certificate under sub-rule (5) of rule 4 may, within ten days of the receipt of the communication of such refusal, prefer an appeal to a Panel of Experts consisting of not less than three but not more than seven persons appointed for the purpose by the Central Government.

(2) A minimum of two thirds of the total membership of the Panel of Experts shall consist of non-officials.

(3) The quorum for such Panel shall be three.

(4) The appeal shall be disposed of within fifteen days of its receipt.

## APPENDIX A

[See rule 3(a)]

### INPROCESS QUALITY CONTROL

#### Quality Control:

The quality control of the safety matches shall be ensured by the manufacturer by effecting the following controls at different stages of manufacture, preservation and packing of



the products as laid down below together with the levels of control as set out in the Schedule appended hereto.

(i) Purchase specifications and raw materials control :—

- (a) Purchase specifications shall be laid down by the manufacturer incorporating the properties of raw material to be used.
- (b) Either the accepted consignments shall be accompanied by a supplier's test and inspection certificate corroborating the requirements of the purchase specification, in which case occasional checks shall be conducted at least once in 10 consignments by the purchaser for a particular supplier to verify the correctness of the aforesaid test or inspection certificates or the purchased material shall be regularly tested and inspected either in the laboratory within the factory or in an outside laboratory or test house.
- (c) The sampling for inspection or test to be carried out shall be based on the recorded investigation
- (d) After the inspection or test is carried out, systematic method shall be adopted in segregating the accepted and rejected materials and for disposal of the rejected materials.
- (e) Adequate records in respect of the aforesaid controls shall be regularly and systematically maintained by the manufacturer.

(ii) Process Control :—

- (a) Details process specifications shall be laid down by the manufacturer for different stages of manufacture for different stages of manufacture.

- (b) Equipment and instrumentation facilities shall be adequate to control the processes as laid down in the process specification.

- (c) Adequate records shall be maintained by the manufacturer to ensure the possibility of verifying the controls exercised during the process of the manufacture.

(iii) Product Control :—

- (a) The manufacturer shall have either his own testing facilities or shall have access to such testing facilities existing elsewhere to check up whether the product conforms to specifications recognised under section 6 of the Act.
- (b) Sampling for test and inspection to be carried out shall be based on the recorded investigation.
- (c) Adequate records in respect of sampling and test carried out shall be regularly and systematically maintained.

The minimum levels of control of check the products shall be as specified in the Schedule below.

(iv) Preservation Control :—

The products shall be well preserved both during the storage and the transit.

(v) Packing Control :—

The packing shall have presentability and sufficient strength to stand handling during transit.

**THE SCHEDULE**  
Levels of Control  
[See sub-paragraph (iii) (c)]

Sl. No.	Characteristics	Requirements	Frequency	Remarks
1	2	3	4	5
1. (a)	Dimension of Splints	Standard Specifications recognised for the purpose	25 Splints every two hours	—
(b)	Thickness of Wood/paper meant for match box	Standard specification recognised for the purpose	After every one hour 10 pieces	—
2.	Dimension, Workmanship and finish	—do—	After every one hour 10 pieces	—
(a)	Sticks			
(b)	Boxes			
3.	Number of Sticks per box	—do—	After every one hour 12 boxes	—
4.	Match Head	—do—	10% of the sticks taken from the boxes at Sl. No. 3	—
(a)	No head shall protrude out of box	—do—		—
(b)	Shall ignite without spurting and the match head particles shall not fly when the head is struck against the friction surface of the box			
5.	Friction surface	—do—	After every one hour-12 boxes	—
6.	Defective boxes, broken crushed or loosely fitted	—do—	After every one hour- 12 boxes	—
7.	Unserviceable sticks, badly distorted heads, fractured heads, doubles, broken splints	—do—	10% of the sticks taken from boxes drawn at Sl. No. 5	—
8.	Safety Test	—do—	100 sticks per 8 hours of production or part thereof	—
9.	Ignition below 170°C	—do—	10 sticks per 8 hours of production or part thereof	—

1	2	3	4	5
10. Ignition under impact		Standard specification recognised for the purpose	100 sticks per 8 hours of production or part thereof	—
11. Burning quality		—do—	—do—	—
12. Wearing strength of friction surface		—do—	15 boxes per 8 hours of production or part thereof	—
13. Damp proofness		Standard specification recognised for the purpose	15 boxes per 8 hours of production or part thereof	—

## APPENDIX B

## 1. Consignmentwise inspection.

- 1.1 The consignment of safety matches shall be subjected to inspection and testing to ensure conformity of the same to the standard specifications recognised under section 6 of the Act.
- 1.2 In the absence of specific stipulation in the contractual specifications as regards sampling criteria the same laid down in Table-I given below shall become applicable.

TABLE I  
Scale of Sampling

Lot Size	No. of Cartons to be Selected
1	2
3 to 25	3
26 to 50	4
51 to 100	5
101 to 150	6
151 and above	7

LOT—All the cartons containing materials of the same brand in a single consignment shall constitute a lot.

- 1.3 From each of the cartons selected at random as per Table-I above select at random a certain number of packets depending upon the size of carton, in accordance with Table-II.

TABLE II

No. of Packets in the Carton	No. of Packets to be Selected
12	3
60	4
120	5

- 1.4 Open each of the packet in 1.3 and take out at random four match boxes from each of the packets. The boxes thus selected from packets shall constitute a sample. These boxes shall then be divided at random into two sets of equal number of boxes. One set shall be subject to required tests and other set shall be for reference samples.
- 1.5 Number of tests and criteria for conformity, if not otherwise specified in the export contract, shall be as per relevant Indian Standard Specification or any other National Standard.
- 1.6 Methods of test—If not specified in the export contract, methods of test for performance requirement of safety matches shall be as specified in the relevant Indian Standard Specification or any other National Standard.

## 1.7 Packing—If not specified in the export contract, the packing of safety matches shall be as given below :—

Twelve match boxes shall be wrapped in a suitable paper preferably blue match paper, which shall be securely pasted or glued to make a tight packet. Sixty such packets shall be packed in a bituminized laminated water proof thread lined paper and shall be securely pasted or glued to make a tight carton. The match box, the packet and the carton shall have a label affixed to each one of them indicating the manufacturer's name or trade mark, if any.

Each match box should indicate the number of sticks in the box.

[No. 6(12)/82-EI&amp;EP]

New Delhi, the 28th March, 1984

S.O. 1221(B).—Whereas the Central Government, in exercise of the powers conferred by section 8 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), published a proposal to recognise the Indian Standards Institutions Certification Mark in relation to Safety Matches as required by sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules, 1964 in the Gazette of India, Part II, Section 3, Sub-section (ii), dated the 15th October, 1983 under the Notification of the Government of India in the Ministry of Commerce No. S.O. 3919 dated the 15th October, 1983;

And whereas no objections and suggestions were received from persons likely to be affected thereby within 45 days from the date of publication of the said notification in the Official Gazette;

And whereas the copies of the said Gazette were made available to the public on the 19th October, 1983;

Now, therefore, in exercise of the powers conferred by section 8 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby recognises the Indian Standard Institution Certification Mark in relation to Safety Matches for the purpose of denoting whenever safety matches are affixed or applied with such mark, they shall be deemed to be in conformity with the standard specification applicable thereto, under clause (c) of section 6 of the said Act.

Explanation.—In this notification safety matches means matches of wooden or wax coated paper sticks having flammable head that can ignite only when struck on a particularly prepared friction surface under specified conditions of use.

[No. 6(12)/82-EI&amp;EP]

C. B. KUKRETI, Jt. Director

(बाणिज्य विभाग)

नई दिल्ली, 31 मार्च, 1984

क्र० आ० 1222.—केन्द्रीय सरकार, सामुद्रिक उत्पाद निर्यात विकास प्राधिकरण अधिनियम, 1972 के नियम 3 और नियम 4 के माध्यम से पठित सामुद्रिक उत्पाद निर्यात विकास प्राधिकरण अधिनियम, 1972

(1972 का 13) की धारा 4 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निम्नलिखित व्यक्तियों को सामुद्रिक उत्पाद निर्यात विकास प्राधिकरण का सदस्य नियुक्त करती है :-

- (1) श्री सी० एम० शैति,  
पोत परिवहन, सहायक महानिदेशक मुम्बई।
- (2) श्री ए० के० दास,

अपर औद्योगिक सलाहकार (रसायन) बी० जी० टी० बी० और भारत सरकार के वाणिज्य मंत्रालय (वाणिज्य विभाग) की अधिसूचना सं० का० आ० 2955 तारीख 11 जुलाई, 1983 में निम्नलिखित संशोधन करती है :-

उक्त अधिसूचना में क्रम सं० 9 और 10 तथा उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित रखा जाएगा, अर्थात:-

“(9) श्री सी० एम० शैति,  
पोत परिवहन सहायक महानिदेशक, मुम्बई।

10) श्री ए० के० दास,  
अपर औद्योगिक सलाहकार (रसायन) बी० जी० टी० बी०।”  
[1 एम/18/81-ई० पी० (एम पी)]

(Department of Commerce)

New Delhi, the 31st March, 1984

S.O. 1222.—In exercise of the powers conferred by sub-section (3) of section 4 of the Marine Products Export Development Authority Act, 1972 (13 of 1972), read with rule 3 and rule 4 of the Marine Products Export Development Authority Rules, 1972, the Central Government hereby appoints the following persons to be members of the Marine Products Export Development Authority :-

- (1) Shri C. M. Shetye,  
Assistant Director General of Shipping,  
Bombay.
- (2) Shri A. K. Das,  
Additional Industrial Adviser (Chemicals),  
D.G.T.D.

and makes the following amendment in the notification of the Government of India in the Ministry of Commerce (Department of Commerce) No. S.O. 2955, dated the 11th July, 1983 :-

In the said notification for serial Nos. 9 and 10 and the entries relating thereto the following shall be substituted, namely :-

- “(9) Shri C. M. Shetye,  
Assistant Director General of Shipping,  
Bombay.
- (10) Shri A. K. Das,  
Additional Industrial Adviser (Chemicals),  
D.G.T.D.”

[1 M/18/81-EP(MP)]

शुद्धि-पत्र

नई दिल्ली, 31 मार्च, 1984

का० आ० 1223.—भारत के राजपत्र तारीख 23 जुलाई, 1983 भाग 2 खण्ड 3 उप खण्ड (ii) के पृष्ठ 3024 पर प्रकाशित भारत सरकार के वाणिज्य विभाग की अधिसूचना सं० का० आ० 2955 तारीख 11 जुलाई, 1983 में एफ० ए० फर्नांडो के स्थान पर एस० ए० फर्नांडो पड़े।

[एफ सं० 1 एम/18/81 ई पी (एम पी)]  
बी० एम० एस० नेगी, भवर सचिव

CORRIGENDUM

New Delhi, the 31st March, 1984

S.O. 1223.—In the notification of the Government of India in the Department of Commerce No. S.O. 2955 dated the

11th July, 1983 published at page 3024 of the Gazette of India dated 23rd July, 1983 in Part II, Section 3, Sub-section (ii) for F.A. Fernando read S. A. Fernando.

[F. No. 1M/18/81-EP(MP)]  
B. M. S. NEGI, Under Secy.

विदेश मंत्रालय

नई दिल्ली, 22 मार्च, 1984

का०आ० 1224.—राजनयिक एवं कंसली अधिकारी (शपथ एवं शुल्क) अधिनियम 1948 (1948 का 41वां) की धारा 2 के खण्ड (क) के अनुपालन में केन्द्र सरकार, इसके द्वारा, कनिष्ठ कुभाषिया श्रीमति सुनिता नेने को, जिन्हें भारत का प्रधान कंसलावास, फ्रैंकफर्ट में उपकंसल का स्थानीय पद दिया गया है, सत्काल से उप-कंसल का कार्य करने के लिए प्राधिकृत करती है।

[संख्या टी 4330/2/84]

बी०एस० निहल, भवर सचिव

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 22nd March, 1984

S.O. 1224.—In pursuance of the clause (a) of section 2 of the Diplomatic and Consular Officers (oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorise Mrs. Sunetta Nene, Junior Interpreter who has been given the local rank of Vice Consul in the Consulate General of India, Frankfurt to perform the duties of Vice Consul with immediate effect.

[No. T. 4330/2/84]  
B. S. NIDDAR, Under Secy.

उद्योग मंत्रालय

(औद्योगिक विकास विभाग)

नई दिल्ली, 27 मार्च, 1984

आदेश

का० आ० 1225 ओ.वि.वि.अ.—केन्द्रीय सरकार, विकास परिषद (प्रक्रिया) नियम, 1952 के नियम 2, 4 और 5 के साथ पठित (औद्योगिक विकास और विनियमन) अधिनियम, 1951 की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार के आदेश सं० का० आ० 451/ओ.वि.वि.अ, तारीख 3 जनवरी, 1983 का निम्नलिखित संशोधन करती है, अर्थात :-

उक्त आदेश में, क्रम सं० 9 और उससे संबंधित प्रविष्टि के स्थान पर निम्नलिखित रखा जाएगा, अर्थात:-

“श्री बी० के० बाली,  
अध्यक्ष,

टाटा आइल मिल्स कंपनी लिमिटेड,  
24, होमी मोदी स्ट्रीट, मुम्बई - 400023।”

[का० सं० 14 (15)/81 बी० पी० आर०/ई पी ओ]  
ए० पी० सरबत, संयुक्त सचिव..

MINISTRY OF INDUSTRY

(Deptt. of Industrial Development)

ORDER

New Delhi, the 27th March, 1984

S.O. 1225/IDRA.—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 read with rule 2, 4 and 5 of the Development Council (Procedural) Rules, 1952, the Central Government hereby makes the following amendment in the order of the Government of India No. S.O. 451/IDRA, dated the 3. January, 1983, namely :-

In the said order, for serial No. 9 and the entry relating thereto, the following shall be substituted, namely :—

"Shri V. K. Boli, President,

The Tata Oil Mills Company Limited,

24, Homi Modi Street, Bombay-400023."

[F. No. 14(15)/81-DPR/EGG]  
A. P. SARWAN, Jr. Secy.

### परमाणु ऊर्जा विभाग

मुम्बई, 20 अप्रैल, 1983

का० आ० 1226.—केन्द्रीय सरकार, सरकारी स्थान (अप्राधिकृत अधिभोगियों की बेवखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इस विभाग की अधिसूचना सं० 13/2/73-एच, तारीख 6 जून, 1979 को अधिकांत करते हुए, नीचे सारणी के स्तम्भ (1) में उल्लिखित अधिकारी, जो सरकार का राजपत्रित अधिकारी है, उक्त अधिनियम के प्रयोजन के लिए संपदा अधिकारी नियुक्त करती है और यह भी निदेश देती है कि उक्त अधिकारी, उक्त सारणी के स्तम्भ (2) में विनिर्दिष्ट सरकारी स्थानों के संबंध में अपनी अधिकारिता की स्थानीय सीमाओं के भीतर उक्त अधिनियम के द्वारा या अधीन संपदा अधिकारी को प्रदत्त शक्तियों का प्रयोग और अधिरोपित कर्तव्यों का पालन करेगा :

#### सारणी

अधिकारी का पदनाम	सरकारी स्थानों के प्रवर्ग और अधिकारिता की स्थानीय सीमाएं
1	2
प्रशासनिक अधिकारी-III, नरोरा परमाणु शक्ति परियोजना, न प थ प (एन ए पी पी) टाउनशिप, नरोरा जिला, बुलन्दशहर, उ०प्र०	नरोरा परमाणु शक्ति परियोजना, बुलन्दशहर न प थ प (एन ए पी पी) टाउनशिप, नरोरा जिला, बुलन्दशहर, उ०प्र० के या उसके प्रबन्ध के अधीन स्थान।

[का० सं० 13/2/73-(एच) खंड 4]

### DEPARTMENT OF ATOMIC ENERGY

Bombay, the 20th April, 1983

S. O. 1226.—In supersession of this Department's notification No. 13/2/73-(H) SSS dated June 6, 1979 and in exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the Officer mentioned in column (1) of the Table below, being a Gazetted Officer of Government to be the Estate Officer for the purpose of the said Act, and the said Officer shall exercise the powers conferred and perform the duties imposed on Estate Officers by or under the said Act within the local limits of his jurisdiction in respect of the Public Premises specified in column (2) of the said Table :

Designation of the Officer	Categories of Public Premises
1	2
Administrative Officer-III Narora Atomic Power Project P.O. NAPP Township, Narora District : Bulandshahr U.P.	Premises belonging to or under the management of Narora Atomic Power Project, P.O. NAPP Township, Narora District : Bulandshahr U.P.

[No. 13/2/73-H.]

मुम्बई, 22 मार्च, 1983

का० आ० 1227.—केन्द्रीय सरकार, सरकारी स्थान (अप्राधिकृत अधिभोगियों की बेवखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के परमाणु ऊर्जा विभाग की अधिसूचना सं० 13/2/73-एच, तारीख 18-9-75 को, जो भारत के राजपत्र, भाग 2, खंड 3, उपखंड (ii), तारीख को 18-10-75 में का० आ० सं० 4505 के रूप में प्रकाशित हुई थी, अधिकांत करते हुए नीचे सारणी के स्तम्भ (1) में उल्लिखित अधिकारी को जो सरकार का राजपत्रित अधिकारी है, उक्त अधिनियम के प्रयोजन के लिए संपदा अधिकारी नियुक्त करती है और उक्त अधिकारी उक्त सारणी के स्तम्भ (2) में विनिर्दिष्ट सरकारी स्थानों के संबंध में अपनी अधिकारिता की स्थानीय सीमाओं के भीतर उक्त अधिनियम के द्वारा या अधीन संपदा अधिकारी को प्रदत्त शक्तियों का प्रयोग और अधिरोपित कर्तव्यों का पालन करेगा :

#### सारणी

अधिकारी का नाम	सरकारी स्थानों के प्रवर्ग और अधिकारिता की स्थानीय सीमा
1	2
प्रबन्धक (कामिक और प्रशासनिक) न्यूक्लीय ईंधन कम्प्लेक्स, परमाणु ऊर्जा विभाग मौला अली रोड हैदराबाद आन्ध्र प्रदेश।	आन्ध्र प्रदेश के हैदराबाद जिले परमाणु ऊर्जा विभाग के या उस प्रशासनिक नियंत्रण के अधीन स्थान

[सं० 13/2/73(एच०)]

Bombay, the 22nd March, 1983

S. O. 1227.—In exercise of the power conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act 1971 (40 of 1971) and in supersession of notification No. 13/2/73-H dated 18-9-1975 of the Government of India in the Department of Atomic Energy published in Gazette of India Part-II, Section 3, Sub-section (ii) dated 18-10-1975 against S.O. No. 4505 the Central Government hereby appoints the Officer mentioned in column (1) of the Table below, being a Gazetted Officer of Government, to be the Estate Officer for the purpose of the said Act, and perform the duties imposed on Estate Officer, by or under the said Act, within the local limits of his jurisdiction in respect of Public Premises specified in Column (2) of the said Table.

#### TABLE

Designation of the Officer	Categories of Public Premises and local limits of jurisdiction
1	2
Manager (Personnel & Administration) Nuclear Fuel Complex, Department of Atomic Energy, Moula Ali Road, Hyderabad, Andhra Pradesh.	Premises belonging to or under Administrative Control of the Department of Atomic Energy in Hyderabad District of Andhra Pradesh.

[No. 13/2/73-H.]

मुम्बई, 24 मई, 1983

का० आ० 1228.—केन्द्रीय सरकार, सरकारी स्थान (अप्राधिकृत अधिभोगियों की बेवखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, नीचे सारणी के स्तम्भ (1) में उल्लिखित अधिकारी को जो सरकार का राजपत्रित अधिकारी है, उक्त

अधिनियम के प्रयोजनों के लिए संपदा अधिकारी नियुक्त करती है और उक्त अधिकारी उक्त सारणी के स्तम्भ (2) में विनिर्दिष्ट सरकारी स्थानों के संबंध में अपनी अधिकारिता की स्थानीय समाजों के भीतर, उक्त अधिनियम के द्वारा या अधीन संपदा अधिकारी को प्रदत्त शक्तियों का प्रयोग और अधिरोपित कर्तव्यों का पालन करेगा :

## सारणी

अधिकारी का पदनाम	सरकारी स्थानों के प्रकार
1	2
प्रशासनिक अधिकारी-III ककड़ापाड़ परमाणु ऊर्जा शक्ति परियोजना, ग्राम मोतीचर, मांडवी तालुका, जिला सुरत, गुजरात	ककड़ापाड़ परमाणु ऊर्जा शक्ति परियोजना, ग्राम मोतीचर, मांडवी तालुका, जिला सुरत, गुजरात के या उसके प्रबन्ध के अधीन स्थान।

[सं० 13/2/73-एच०]  
सी०जे० जोसेफ, अवर सचिव

Bombay, the 24th May, 1983

S.O. 1228.—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the officer mentioned in column (i) of the Table below, being a gazetted officer of Government, to be Estate Officer for the purposes of the said Act, and the said officer shall exercise the powers conferred and perform the duties imposed on Estate Officers by or under the said Act, within the local limits of his jurisdiction in respect of the Public Premises specified in column (2) of the said Table :

TABLE

Designation of the Officer	Categories of Public Premises
1	2
Administrative Officer-III Kakrapar Atomic Power Project, Village Moticher, Mandvi Taluka District Surat, Gujarat.	Premises belonging to or under the management of Kakrapar Atomic Power Project, Village Moticher, Mandvi Taluka, District Surat, Gujarat.

[No. 13/2/73-H.]  
C.J. JOSEPH, Under Secy.

## ऊर्जा संचालन

(पेट्रोलियम विभाग)

नई दिल्ली, 27 मार्च, 1984

का० आ० 1229—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि महाराष्ट्र राज्य में बंबई से पुना तक पेट्रोलियम पदार्थों के परिवहन के लिए पाईप लाईन हिन्दुस्तान पेट्रोलियम कारपोरेशन द्वारा बिछाई जानी चाहिये।

और यत यह प्रतीत होता है कि ऐसी लाईनों को बिछाने के प्रयोजन के लिए एतद्प्राबन्ध अनुसूची में अजित भूमि में उपयोग का अधिकार अजित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाईप लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (I) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय

सरकार ने उसमें उपयोग का अधिकार अजित करने का अपना आशय एतद् द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाईप लाईन बिछाने के लिए आशेष सलम प्राधिकारी हिन्दुस्तान पेट्रोलियम कारपोरेशन लिमिटेड, बंबई पूर्ण पाईप लाइन्स प्रोजेक्ट प्युजेल रिकॉयनरीज, कॉरिडोर रोड, बंबई को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आशेष करने वाला हर व्यक्ति विनिर्दिष्ट : यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

## अनुसूची

पाईप लाईन बानी देवद गांव से, तालुका : पनवेल, थला जिला रायगड महाराष्ट्र	गांव	खसरा नम्बर	हिस्सा नम्बर	क्षेत्रफल
				हेक्टर ऐयर
पासी देवद	50 का भाग	—	00	14

[सं०-O-12016/18/84-प्रोड]

## MINISTRY OF ENERGY

(Department of Petroleum)

New Delhi, the 27th March, 1984

S.O. 1229.—Whereas it appears to Central Government that it is necessary to lay a pipeline for transporting Petroleum Products from Bombay to Pune in the State of Maharashtra through Pipe-line and that said Pipeline is to be laid through the agency of Hindustan Petroleum Corporation Limited, Bombay.

And whereas it appears to Central Government that for laying pipe-line it is necessary to acquire the Right of User in respect of the lands appended to herewith in schedule.

Now therefore in exercise of the powers vested in them by virtue of Section 3(i) of Petroleum and Minerals Pipe-lines (Acquisition of Right of User in Land) AO 1962 (50 of 1962) Central Government notify their intention to acquire the Right of user in the lands referred to above.

Any person having his interest in the lands referred to above having any objection for laying pipe-line through above mentioned lands may prefer an objection within 21 days of the publication of this notification before the competent authority Hindustan Petroleum Corporation Limited Bombay Pune Pipeline Project, Fuels Refinery, Corridor Road, Bombay-74.

All persons having any objection may also state whether they want to be heard in person either himself or through any lawyer appointed by him.

## SCHEDULE

Pipeline from the Village : Pali Devad, Taluka : Panvel, District : Raigad, Maharashtra.

Village	Survey No.	Hissa No.	Area
			H R
Pali Devad	50 part	—	00 14

[No. O-12016/18/84-Prod.]

का० आ० 1230—यतः पेट्रोलियम और खनिज पाईपलाइनभूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) धारा 3 की उपधारा (I) के अधीन भारत सरकार के उर्जा मंत्रालय पेट्रोलियम विभाग की अधिसूचना का० आ० सं० 435 तारीख 24-1-84 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार के पाईप लाईनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम अधिकारी ने उक्त अधिनियम की धारा 6 को उपधारा (I) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चित किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (I) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है की इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईपलाइन बिछाने के प्रयोजन के लिए एतः द्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्र सरकार में विहित होने के बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

झुडाना औ० जी० एत 1 से जे० एन० ए० डी० तक पाईपलाइन बिछाने के लिये।

राज्य — गुजरात जिला व तालुका मेहसाणा

गाँव	सर्वे नं०	है० एअरई	से०
झुडाना	1495	0 08	00
	1502	0 11	52
	1501	0 04	44
	1500	0 05	16
	1499	0 03	96
	1505/2	0 09	24

[सं० ओ-12018/147/83 प्रोड]

S.O. 1230.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S.O. 435 dated 24-1-84 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the

said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

#### SCHEDULE

Pipeline from Jotana GGS-I to JNAD.  
State : Gujarat District & Taluka : Mehsana

Village	Survey No.	Hec-tare	Are	Centiare
Jotana	1495	0	05	00
	1502	0	11	52
	1501	0	04	44
	1500	0	05	16
	1499	0	03	96
	—1505/2	0	09	24

सं० 12018/147/83-Prod.

का० आ० 1231.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में हजारा से उन्नाय तक पेट्रोलियम के परिवहन के लिए पाईपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाईनों को बिछाने के प्रयोजन के लिये एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाईपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (I) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि जिसका कोई व्यक्ति, उस भूमि के मालिक पाईप लाइन बिछाने के लिए आशेष सक्षम अधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आशेष करने वाला हर व्यक्ति विनिर्दिष्ट यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

हजीरा से उन्नाय तक पाईप लाइन बिछाने के लिए  
राज्य गुजरात : जिला—सुरत : तालुका— बोरसी

गाँव	सर्वे नं०	है०	एअरई	से०
वरीयाव	1164	0	43	95
	1068	0	29	65
	1093	0	22	02
	1074	0	10	05

[सं० जी -12018/17/84- प्रोड]

S.O. 1231.—Whereas it appears to the Central Government that it is necessary in the public interest that for transport of petroleum from HAJIRA to UTRAN in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction and Maintenance Division, Makarpura Road, Vadodara (390 009).

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

#### SCHEDULE

##### Pipeline from Hajira to Utran (Utran)

State : Gujarat District : Surat Taluka : Choriyasi

Village	Survey No.	Hec- tare	Are	Centiare
Varlav	1164	0	43	95
	1068	0	29	65
	1093	0	22	02
	1074	0	10	05

[No. O-12015/17/84-Prod.]

नई दिल्ली, 31 मार्च, 1984

का० भा० 1231.—यत्. पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मन्त्रालय, पेट्रोलियम विभाग की अधिसूचना का० भा० सं० 4606 तारीख 8-12-83 द्वारा केन्द्रीय सरकार के उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाश्च लाइनों को बिछाने के लिए अर्जित करने का प्रस्ताव याचय प्रेषित कर दिया था।

और यत्: सूक्ष्म प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और भावे यत्: केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अथ, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त को शक्ति प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और भावे उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल एवं

प्राकृतिक गैस प्रायोग में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकार की इस तारीख को निहित होगा।

#### अनुसूची

कूप नं० जे० एल० एच० से अजी० जी० एम० झामोरा—1 तक पाइप लाइन बिछाने के लिए।

राज्य—गुजरात	जिला—मोहसामा	तालुका—कडी		
गांव	सर्वे नं०	हेक्टर	आर	सेन्टीघर
करसनपुरा	83	0	15	68
	7	0	21	90
	8	0	03	15
	18	0	02	00

[सं० O—12016/141/83—प्रोड]

पी० के० राजगोपालन, डैस्क अधिकारी

New Delhi, the 31st March, 1984

S.O. 1232.—Whereas by notification of the Government of India in the Ministry of Energy, Department of Petroleum S. O. 4606 dated 8-12-83 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government.

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

#### SCHEDULE

##### Pipeline from Well No. JLN to GSS Jhazora—1.

State : Gujarat District : Mehrana Taluka : Kadi

Village	Survey No.	Hectare	Are	Centiare
Karsanpura	83	0	15	68
	7	0	21	90
	8	0	03	15
	18	0	02	00

[No. O 12018/141/83—Prod]

P.K. RAJAGOPALAN, Desk Officer.

## (कोयला विभाग)

नई दिल्ली, 27 मार्च, 1984

कां० आ० 1233:—केन्द्रीय सरकार ने कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 की उपधारा (1) के अधीन जारी की गई भारत सरकार के उर्जा मंत्रालय (कोयला विभाग की अधिसूचना सं० कां० आ० 1541 तारीख 31 मार्च, 1982 द्वारा उक्त अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट परिसर में 521.50 एकड़ (लगभग) या 211.04 हेक्टर (लगभग) भूमि में कोयले का पूर्वेक्षण करने के अपने आशय की सूचना दी थी;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त भूमि में कोयला अभिप्राय है ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों या प्रयोग करते हुए, इससे संलग्न अनुसूची में वर्णित 521.50 एकड़ (लगभग) या 211.04 हेक्टर (लगभग) भाग की भूमि अर्जन करने के अपने आशय की सूचना देती है।

टिप्पण-1. इस अधिसूचना के अधीन आने वाले क्षेत्र के रेखांक का निरीक्षण उपायुक्त गिरीडीह (बिहार) के कार्यालय में या कोयला नियंत्रक 1, काउन्सिल हाउस स्ट्रीट कलकत्ता-1 के कार्यालय में अथवा सेन्ट्रल कोलफील्ड्स लिमिटेड (राजस्व अनुभाग दरभंगा हाउस, राँची (बिहार) के कार्यालय में किया जा सकता है।

टिप्पण-2 कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 8 के उपबन्धों की ओर ध्यान आकृष्ट किया जाता है जिसमें निम्नलिखित उपबन्धित है:-

"8(1) कोई व्यक्ति जो किसी भूमि में जिसकी बाधा धारा 7 के अधीन अधिसूचना निकाली गई है, हितबद्ध है, अधिसूचना के निकाले जाने से तीस दिन के भीतर सम्पूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उस पर किन्हीं अधिकारों का अर्जन किए जाने के बारे में आपत्ति कर सकेगा।

स्पष्टीकरण- इस धारा के अर्थान्तर्गत यह आपत्ति नहीं मानी जाएगी कि कोई व्यक्ति किसी भूमि में कोयला उत्पादन के लिए स्वयं खनन संक्रियाएँ करना चाहता है और ऐसी संक्रियाएँ केन्द्रीय सरकार या किसी अन्य व्यक्ति को नहीं करना चाहिए।

2. उपधारा (1) के अधीन प्रत्येक आपत्ति सक्षम प्राधिकारी को लिखित रूप में की जाएगी और सक्षम प्राधिकारी आपत्तिकर्ता को स्वयं सुने जाने का या विधि व्यवसायी द्वारा सुनवाई का अवसर देगा और ऐसी सभी आपत्तियों को सुनने के पश्चात् और ऐसी अतिरिक्त जांच, यदि कोई है, करने के पश्चात् जो वह आवश्यक समझता है वह यह तो धारा 7 की उपधारा (1) के अधीन अधिसूचित भूमि के या ऐसी भूमि में या उस पर के अधिकारों के संबंध में एक रिपोर्ट या ऐसी भूमि के विभिन्न टुकड़ों या ऐसी भूमि में या उस पर के अधिकारों के संबंध में आपत्तियों पर अपनी सिफारिशों और उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्टें केन्द्रीय सरकार को उसके विनिर्णय के लिए देगा।

(3) इस धारा के प्रयोजनों के लिए वह व्यक्ति किसी भूमि में हितबद्ध समझा जाएगा जो प्रतिकर में हित का दावा करने का हकदार होता यदि भूमि या ऐसी भूमि में या उस पर अधिकार इस अधिनियम के अधीन अर्जन कर लिए जाते हैं।

टिप्पण-3. केन्द्रीय सरकार ने, कोयला नियंत्रक 1, काउन्सिल हाउस स्ट्रीट, कलकत्ता को उक्त अधिनियम के अधीन सक्षम प्राधिकारी नियुक्त किया है।

अनुसूची

चपरी विस्तार

पूर्वी बोकारो कोलफील्ड्स

जिला गिरिडीह (बिहार)

रेखा चित्र संख्या रा०/26/83

तारीख 30 अगस्त 1983

(जिसमें अर्जन की जाने वाली भूमि दर्शित की गई है)

सभी अधिकार

क्रम सं०	ग्राम	धाना	धाना सं०	जिला	क्षेत्र	टिप्पणी
1.	एलमो	नवाडीह	64	गिरीडीह	3 30	भाग
2.	घोरही	(बेरमो)	68	"	365.00	भाग
3.	चपरी	"	73	"	152.20	भाग

कुल क्षेत्र— 521.50 एकड़ (लगभग)

या 211.04 हेक्टर (लगभग)

एलमो ग्राम में अर्जन किए जाने वाले प्लाट संख्याक:- 137 (भाग)  
घोरही ग्राम में अर्जन किए जाने वाले प्लाट संख्याक:- 3020 (भाग)  
3021 (भाग), 3022, 3058 (भाग) और 3228 (भाग) नदी।  
चपरी ग्राम में अर्जन किए जाने वाले प्लाट संख्याक:

943 (भाग), 944 से 948, 949 (भाग), 950 (भाग), 951 (भाग), 1437 (भाग) 1438 (भाग) और 1439 (भाग)।

सीमा वर्णन

क-ख रेखा, चपरी ग्राम में प्लाट संख्याक 1437 से होकर, ग्राम एमलों में प्लाट संख्याक 137 से होकर और तब घोरही ग्राम में प्लाट सं० 3020 से होकर जाती है (जो घोरही विस्तार ब्लॉक के साथ सम्मिलित सीमा बनाती है)।

ख-ग-घ रेखाएं, घोरही ग्राम में प्लाट संख्याक 3020 और 3021 से होकर जाती हैं (जो कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1958 की धारा 9(1) के अधीन अर्जित घोरही (के) विस्तार ब्लॉक के साथ सम्मिलित सीमा बनाती है)।

घ-ङ-च रेखाएं घोरही ग्राम में प्लाट संख्याक 3021, 3058 और 3228 (दामोदर नदी) से होकर जाती हैं (जो घोरही कोयला क्षेत्र की सम्मिलित सीमा बनाती है)।

च-छ- रेखाएं दामोदर नदी की भाग मध्य रेखा के साथ-साथ जाती हैं।

छ-ज रेखा, दामोदर नदी से होकर और घोरही तथा माकोसी ग्रामों की भागतः सम्मिलित सीमा के साथ-साथ जाती है (जो नए चयनित घोरही कोयला क्षेत्र की सम्मिलित सीमा बनाती है)।

ज-झ रेखा, घोरही और माकोसी ग्राम की भागतः सम्मिलित सीमा के साथ-साथ और चपरी ग्राम में प्लाट सं० 1439 से होकर जाती है (जो कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 की धारा 9 (1) के अधीन अर्जित गंजडीह ब्लॉक की भागतः सम्मिलित सीमा बनाती है)।

झ-क रेखा, चपरी ग्राम में प्लाट सं० 1439, 943, 949, 950, 949, 951, 1339, 1438 और 1437 से होकर जाती है और आरंभिक बिन्दु "क" पर मिलती है।

[सं० 19/88/83 सी० एन०]

समय सिंह, अवसर सचिव



## (Department of Coal)

New Delhi, the 27th March, 1984

S.O. 1233.—Whereas by the notification of the Government of India in the Ministry of Energy (Department of Coal) No. S.O. 1541 dated the 31st March, 1982, issued under sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to prospect for coal in 521.50 acres (approximately) or 211.04 hectares (approximately) of the lands in the locality specified in the Schedule appended to that notification;

And whereas the Central Government is satisfied that coal is obtainable in the said lands;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 7 of the said Act, the Central Government hereby gives notice of its intention to acquire the lands measuring 521.50 acres (approximately) or 211.04 hectares (approximately) described in the Schedule appended hereto;

Note 1.—The plan of the area covered by this notification may be inspected in the Office of the Deputy Commissioner Giridih (Bihar) or in the Office of the Coal Controller, 1, Council House Street, Calcutta-1 or in the Office of the Central Coalfields Limited (Revenue Section), Darbhanga House, Ranchi (Bihar).

Note 2.—Attention is hereby invited to the provisions of section 8 of the Coal Bearing Areas (Acquisition and Development) Act, 1957, (20 of 1957), which provides as follows :—

8(1) Any person interested in any land in respect of which a notification under section 7 has been issued, may within thirty days of the issue of the notification, object to the acquisition of the whole or any part of the land or of any rights in or over such land.

Explanation : It shall not be an objection within the meaning of this section for any person to say that he himself desires to undertake mining operations in the land for the production of coal and that such operations should not be undertaken by the Central Government or by any other person.

(2) Every objection under sub-section (1) shall be made to the competent authority in writing, and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall after hearing all such objections and after making such further inquiry, if any, as he thinks necessary, either make a report in respect of the land which has been notified under sub-section (1) of section 7 of rights in or over such land, or make different reports in respect of different parcels of such land or of rights in or over such land, to the Central Government, containing his recommendations on the objections, together with the record of the proceedings held by him, for the decision of that Government.

(3) For the purposes of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act."

Note 3.—The Coal Controller, 1, Council House Street, Calcutta, has been appointed by the Central Government as the competent authority under the Act.

1627 GI/83—4

## Schedule

## Chapri Extension

East Bokaro Coalfield

District : Giridih (Bihar)

Drg. No. Rev/26/83

Dated : 30-8-1983

(Showing lands to be acquired)

## ALL RIGHTS

Sl. No.	Village	Thana	Thana No.
1	2		4
1. Emlo		Nawadih (Bermo)	64
2. Dhorhi		"	68
3. Chapri		"	73
Total area :—521.50 acres (approximately) or : 211.04 hectares (approximately)			
District	Area	Remarks	
Giridhi	4.30	Part	
"	365.00	"	
"	152.20	"	

Plot number to be acquired in Village Emlo—137 (Part).  
Plot numbers to be acquired in Village Dhorhi :

3020 (Part), 3021 (Part), 3022, 3058 (Part) and 3228 (Part) River.

Plot numbers to be acquired in village Chapri —

943(Part), 944 to 948, 949 (Part), 950(Part), 951(Part), 1437 (Part), 1438(Part), and 1439(Part).

Boundary description :—

A—B line passes through plot number 1437 in village Chapri, through plot number 137 in village Emlo, then through plot number 3020 in village Dhorhi (which forms part common boundary with Dhorhi extn. block).

B—C—D lines pass through plot numbers 3020 and 3021 in village Dhorhi which form part common boundary with Dhorhi (K) Extension block acquired under section 9(1) of the Coal Bearing areas (Acquisition & Development) Act, 1957.

D—E—F lines pass through plot numbers 3021, 3058 and 3228 (River Damodar) in village Dhorhi (which forms part common boundary of Dhorhi Colliery).

F—G lines pass along the part central line of Damodar river.

G—H line passes through Damodar river and also along the part common boundary of villages Dhorhi and Makoli (which forms common boundary with a new Selected Dhorhi Colliery).

H—I line passes along the part common boundary of villages Dhorhi and Makoli and through plot number 1439 in village Chapri which forms part common boundary of Gunjardih block acquired under section 9(1) of the Coal Bearing Areas (Acquisition & Development) Act, 1957.

I—A line passes through plot numbers 1439, 943, 949, 950, 951, 1439, 1438 and 1437 in village Chapri and meets at starting point 'A'.

[No. 19/58/83-CL]  
SAMAY SINGH, Under Secy.

"23 बनारस हिन्दू विश्व-मास्टर आफ डेंटल एम० डी० एम०  
विद्यालय मंजरी (ऑपरेटिव डेंटिस्ट्री)  
(ऑपरेटिव डेंटिस्ट्री) वाराणसी " ।

[संख्या बी० 12017/1/83-पी० एम० एम०]  
के० एल० भाटिया, अधीन सचिव

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 3 अप्रैल, 1984

का० प्र० 1234.—दन्त-चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 10 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, भारतीय दन्त-चिकित्सा परिषद के परामर्श से, एतद्वारा उक्त अधिनियम की सूची में निम्नलिखित और संशोधन करती है, नामतः—

उक्त सूची के भाग-1 में, (क) संगलीर विश्वविद्यालय में संबंधित क्रम संख्या 22 में कालम 2 और 3 के अन्तर्गत हुई वर्तमान प्रविष्टियों के बाद निम्नलिखित प्रविष्टियाँ रखी जाएँ; नामतः—

"(3) प्रास्थोटिक डेंटिस्ट्री एम० डी० एम० (प्रास्थोटिक डेंटिस्ट्री) मंगलौर

"(4) ओर्थोडोंटिया एम० डी० एम० (ओर्थोडोंटिया) मंगलौर"

(ख) क्रम संख्या 22 और उससे संबंधित प्रविष्टियों के बाद निम्नलिखित क्रम संख्या तथा प्रविष्टियाँ रखी जाएँ, नामतः—

MINISTRY OF HEALTH AND FAMILY WELFARE  
(Deptt. of Health)

New Delhi, the 3rd April, 1984

S.O. 1234.—In exercise of the powers conferred by sub-section(2) of section 10 of the Dentists Act, 1948 (16 of 1948), the Central Government, after consulting the Dental Council of India, hereby makes the following further amendment in the Schedule to the said Act, namely :

(iii) Prosthetic Dentsitry M.D.S. (Prosthetic Dentistry) Mangalore

(iv) Orthodontia M.D.S. (Orthodontia) Mangalore

(b) after serial number 22 of the entries relating thereto, the following serial number and entries shall be inserted, namely:

"23. Banaras Hindu Master of Dental M.D.S. (operative) University Surgery Dentistry (Operative Dentistry) Varanasi".

[No. V.12017/1/83-PMS]  
K.L. BHATIA, Under Secy.

### कृषि मंत्रालय

(कृषि और सहकारिता विभाग)

नई दिल्ली, 13 मार्च, 1984

का० आ० 1235.—राष्ट्रपति, केन्द्रीय निबिल सेवा (वर्गीकरण, नियोजन और अपील) नियम, 1965 के नियम 34 के साथ पठित नियम 9 के उपनियम (2), नियम 12 के उपनियम (2) के खंड (ख) और नियम 24 के उपनियम (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार के भूतपूर्व कृषि मंत्रालय की अधिसूचना सं० का०/नि०आ० 634-ए तारीख 28 फरवरी, 1957 में निम्नलिखित और संशोधन करते हैं, अर्थात्—

(1) उक्त अधिसूचना की अनुसूची में "वर्ग 3" और "वर्ग 4" शब्दों और अंकों के स्थान पर जहाँ जहाँ वे आते हैं, क्रमशः "समूह ग" और समूह "घ" शब्द और अक्षर रखे जायेंगे;

(2) अनुसूची में, भाग 1 साधारण केन्द्रीय सेवा समूह ग और घ में, विद्यमान शीर्षक 'वन साधन का निवेश पूर्व सर्वेक्षण कार्यालय' और उसके नीचे की प्रविष्टियों के स्थान पर निम्नलिखित शीर्षक और प्रविष्टियाँ रखी जाएँगी, अर्थात्—

1	2	3	4	5
भारतीय वन सर्वेक्षण				
भाग I—साधारण केन्द्रीय सेवा समूह "ग" पद				
संयुक्त निदेशक का कार्यालय, भारतीय वन सर्वेक्षण, में सभी समूह 'ग' पद	संयुक्त निदेशक (तालिका)	संयुक्त निदेशक (तालिका)	सभी	निदेशक, भारतीय वन सर्वेक्षण देहरादून ।
निदेशक का कार्यालय भारतीय वन सर्वेक्षण, देहरादून में सभी समूह 'ग' पद	संयुक्त निदेशक	संयुक्त निदेशक	सभी	निदेशक, भारतीय वन सर्वेक्षण ।
भाग 2 साधारण केन्द्रीय सेवा समूह 'घ' पद				देहरादून
संयुक्त निदेशक का कार्यालय, भारतीय वन सर्वेक्षण, में सभी समूह 'घ' पद	संबंधित संयुक्त निदेशक (तालिका)	संबंधित संयुक्त निदेशक (तालिका)	सभी	निदेशक, भारतीय वन सर्वेक्षण, देहरादून
निदेशक का कार्यालय भारतीय वन सर्वेक्षण, देहरादून में सभी समूह 'घ' पद	संयुक्त निदेशक	संयुक्त निदेशक	सभी	निदेशक, भारतीय वन सर्वेक्षण, देहरादून

[सं० 7-17/82-एफ०ई०-2]

आर० एम० मिश्र, अधीन सचिव

टिप्पण : का०/नि०आ०/नं० 634-ए, तारीख 28-2-1957 में क्रमशः का०/नि०सं० 1047 तारीख 2-7-1966 और सा०का०/नि० सं० 71, तारीख 27-1-1973 द्वारा संशोधन किए गए थे ।

**MINISTRY OF AGRICULTURE**  
(Department of Agriculture & Cooperation)  
New Delhi, the 13th March, 1984.

S.O. 1235.—In exercise of the powers conferred by sub-rule (2) of rule 9, clause (b) of sub-rule (2) of rule 12 and sub-rule (1) of rule 24 read with rule 34 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, the President hereby makes the following further amendments in the notification of the Government of India in the late Ministry of Agriculture No. SRO-634-A, dated the 28th February, 1957, namely :—

(i) In the Schedule to the said notification, for the words and figures “Class III” and “Class IV” wherever they occur, the words and letters “Group C” and “Group D” shall respectively, be substituted ;

(ii) In the Schedule, in Part I—General Central Services Group C and Group D for the existing head “Office of the Preinvestment Survey of Forest Resources” and the entries there-under, the following head and entries shall be substituted, namely :—

1	2	3	4	5
<b>FOREST SURVEY OF INDIA :</b>				
<b>PART I—General Central Service Group ‘C’ posts.</b>				
All Group ‘C’ posts in the office of Joint Directors, Forest Survey of India.	Joint Director (Inventory)	Joint Director (Inventory)	All	Director, Forest Survey of India, Dehra Dun.
All Group ‘C’ posts in the office of the Director Forest Survey of India, Dehra Dun.	Joint Director	Joint Director.	All	Director, Forest Survey of India, Dehra Dun.
<b>PART II—General Central Service Group ‘D’ Posts.</b>				
All Group ‘D’ posts in the office of Joint Director, Forest Survey of India, Dehra Dun.	Joint Director (Inventory) concerned	Joint Director (Inventory) concerned	All	Director, Forest Survey of India, Dehra Dun.
All Group ‘D’ posts in the Office of the Director, Forest Survey of India, Dehra Dun.	Joint Director.	Joint Director	All	Director, Forest Survey of India Dehra Dun.

[No. 7-17/82-FBII]

R.S. BISHT, Under Secy.

Note—Amendments in S.R.O. No. 634-A dated 28-2-1957 were made vide S.O. No. 1947 dated 2-7-1966 and G.S.R. No. 71 dated 27-1-1973.

**सूचना और प्रसारण मंत्रालय**

नई दिल्ली, 27 मार्च 1984

आदेश

क्र० आ० 1236:—भारत सरकार के सूचना और प्रसारण मंत्रालय के आदेश सं० एस०ओ० 3792, दिनांक 2 दिसम्बर, 1966 की प्रथम अनुसूची में निर्दिष्ट प्रत्येक अधिनियम के उपबन्ध के अंतर्गत जारी किये गये निर्देशों के अनुसरण में, केन्द्रीय सरकार, फिल्म सलाहकार बोर्ड, बम्बई की सिफारिशों पर विचार करने के बाद एतद्वारा इसके साथ लगी अनुसूची के कालम 2 में की गई फिल्मों को उनके सभी भारतीय भाषाओं के रूपान्तरों सहित, जिनका विवरण प्रत्येक के सामने उक्त अनुसूची के कालम 6 में दिया हुआ है, स्वीकृत करती है।

**अनुसूची**

क्रम सं०	फिल्म का नाम	फिल्म की लंबाई	अ.वेदक का नाम	निर्माता का नाम	क्या वैज्ञानिक फिल्म है या शिक्षा संबंध फिल्म है या समाचार और सामयिक घटनाओं की फिल्म है या डाकुमेंट्री फिल्म है।
1	2	3	4	5	6
1. आल फार यू (कार्टून)	293.00	फिल्म प्रभाग, 24 पैडर रोड, बम्बई-400026			डाकुमेंट्री फिल्म। सामान्य प्रदर्शन के लिए।
2. भांड जशन	576.99	सिद्धार्थ काक,, 1. गीतिका एस०वी०रो०, शांताकूज (पश्चिम), बम्बई-400054			-तबैव-

1	2	3	4	5	6
3. बलहीना बरबालाकू गृह वमती	298.00	श्री एन० कृष्णस्वामी, 25, 2 स्ट्रीट, नेक एरिया, नुगमबक्कम, मद्रास-34			डाकुमेंट्री फिल्म। आन्ध्र प्रदेश सर्किट में प्रदर्शन के लिए।
4. ऊंची उठती जीवन रेखा	282.00	श्री बी० प्रभाकर, सी-62, पलावर क्वीन बीर वेमार्ई रोड, अंधेरी-बम्बई 58	सूचना और जनसंपर्क निदेशक, उत्तर प्रदेश सरकार, लखनऊ		डाकुमेंट्री फिल्म। उत्तर प्रदेश सर्किट में प्रदर्शन के लिए।
5. बि बाइज नेबर	66.00	फिल्म प्रभाग, 24-पैडर रोड, बम्बई-26			डाकुमेंट्री फिल्म। सामान्य प्रदर्शन के लिए।
6. दि मुगल गार्ड्स	492.00	-तथैव-			-तथैव-
7. मध्य प्रदेश समाचार दर्शन 45	256.33	आनंद हटवालने मार्कट निदेशक, सूचना और प्रसार, मध्य प्रदेश सरकार, भोपाल	निदेशक सूचना और प्रसार, मध्य प्रदेश सरकार भोपाल		समाचार और सामयिक घट- नाओं की फिल्म। मध्य प्रदे सर्किट में प्रदर्शन के लिए। समाचार और सामयिक
8. महिति चित्र संख्या	335.28	सहायक निदेशक, सूचना (एफ) गुजरात सरकार, रामनाथ रिसर्च लेबोरेटरी लिमिटेड 77, डा० एनी वेसेंट रोड, बर्ली, बम्बई- 400018	निदेशक, सूचना गुजरात सरकार सचिवालय, ब्लॉक 7, गांधी नगर-38210		की फिल्म गुजरात सर्किट में प्रदर्शन के लिए।
9. ग्रीस्ट कीडिंग	493.00	ओम भाविन फिल्म, एच-17/4, कोट्टूरपुरम, मद्रास-600085			डाकुमेंट्री फिल्म। सामान्य प्रदर्शन के लिए।
10. महिति चित्र	298.70	सहायक निदेशक, सूचना (एफ), गुजरात सरकार, रामनाथ रिसर्च लेबोरेटरीज लिमिटेड, 77, डा० एनी वेसेंट रोड, बर्ली, बम्बई-400018			समाचार और सामयिक घटनाओं की फिल्म। गुजरात सर्किट में प्रदर्शन के लिए।
11. आज और कल	413.10	सैमस मोहन बाघवनी प्रोडक्शन्स, 21 हा कमब्लांक ब्यूफे पैरेड, बम्बई-400005			डाकुमेंट्री फिल्म सामान्य प्रदर्शन के लिए।
12. दि टूबल इन ओवर	90.02	फिल्म प्रभाग, 24-पैडर रोड, बम्बई-400026			-तथैव-
13. मुशायरा '83'	380.00	-तथैव-			-तथैव-
14. सुबह	292.00	-तथैव-			-तथैव-
15. फिलर-फोक इन केरल	596.03	शिव प्रोडक्शन्स, टी०सी० 25/892, एसएम कोविल, थम्पानूर त्रि केन्द्रम	एटीनो, पुलीकल, शिव प्रोड- क्शन्स, टी०सी० 25/892 एस०एम० कोविल, थम्पानूर त्रिकेन्द्रम		डाकुमेंट्री फिल्म। केरल सर्किट में प्रदर्शन के लिए।
16. महाराष्ट्र समाचार संख्या 390	297.00	सूचना और जन संपर्क महा-निदे- शालय, महाराष्ट्र सरकार, फिल्म सेंटर, 68-नारदेव रोड, बम्बई- 400034			समाचार और सामयिक घट- नाओं की फिल्म। महा- राष्ट्र सर्किट में प्रदर्शन के लिए।
17. काल कार दि बगस	294.00	फिल्म प्रभाग, 24-पैडर रोड, बम्बई-400046			डाकुमेंट्री फिल्म। सामान्य प्रदर्शन के लिए।
18. बुक्स कार मिलियन्स	306.00	-तथैव-			-तथैव-
19. पंगु गिरी लांघे	393.49	अशोक चक्रधर, -88-बी, सनलाइट कालोनी, 2 आश्रम, नयी दिल्ली-110014	अशोक चक्रधर, 88-बी सनलाइट कालोनी, आश्रम, नई दिल्ली 110014		सामान्य प्रदर्शन के लिए। डाकुमेंट्री फिल्म के रूप में वर्गीकृत।
20. हिमालय के घागन में	299.50	वीरेन्द्र पाण्डेय, निर्माता (म्यूजरील), उ०प्र० सूचना विभाग, लखनऊ			केवल उत्तर प्रदेश में प्रदर्शन के लिए। डाकुमेंट्री फिल्म के रूप में वर्गीकृत।

1	2	3	4	5	6
21. एजुकेटिंग फार् बैटर हैल्थ	295.00	फिल्म प्रभाग, 24-पैडर रोड, बम्बई-400026			डाकुमेंट्री फिल्म के रूप में अर्धशहरी तथा ग्रामीण क्षेत्रों में प्रदर्शन के लिए।
22. महिला चित्र संख्या 395	298.70	सहायक निदेशक, सूचना गुजरात सरकार, रामनाई रिमच लेबोरेटरीज लिमिटेड, 77, डा० एनी बेसेंट रोड, बर्ली, बम्बई-400018			गुजरात सर्किट में प्रदर्शन के लिए। समाचार और सामयिक घटनाओं की फिल्म।
23. जय हिन्द	585.00	फिल्म प्रभाग, 24-पैडर रोड, बम्बई-400026			सभी स्थापनाओं में डाकुमेंट्री फिल्म के रूप में वर्गीकृत। सामान्य प्रदर्शन के लिए।
24. बाती नरशिनी 42	259.00	आंध्र प्रदेश राज्य फिल्म विकास निगम लिमिटेड, 11-5-423/1, जफरबाग, लकड़ी का पुल, हैदराबाद-4			समाचार और सामयिक घटनाओं की फिल्म। आंध्र प्रदेश सर्किट में प्रदर्शन के लिए।
25. घग्गा जैषी बलाबे	313.73	सी०एच० गेखर, 10-4-503/1, श्री रामनगर, हैदराबाद-500028			डाकुमेंट्री फिल्म। आंध्र प्रदेश सर्किट में प्रदर्शन के लिए।
26. बेधुन थाटुन माराट्ट	365.76	सहायक निदेशक, सूचना (एफ), रामनाई रिमच लेबोरेटरीज, लिमिटेड, 77, एनी बेसेंट रोड, बम्बई-400018	निदेशक, सूचना गुजरात सरकार, सचिवालय, ब्लॉक 7 गांधी नगर-382010		डाकुमेंट्री फिल्म। गुजरात सर्किट में प्रदर्शन के लिए।

[फाइल सं० 315/3/83-एफ(पी)]

## MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 27th March, 1984

## ORDER

S.O. 1236:— In pursuance of the directions issued under the provision of each of the enactments specified in the First Schedule to the Order of the Government of India in the Ministry of Information and Broadcasting No. S.O. 3792 dated 2nd December, 1966 the Central Government after considering recommendations of the Film Advisory Board, Bombay hereby approves the films specified in column 2 of the Schedule annexed hereto in all its/their language versions to be the description specified against it/each in column 6 of the said schedule.

## SCHEDULE

Sl. Title of the film No.	Length of the film in metres	Name of the applicant	Name of the producer	Brief synopsis whether a a scientific film or for educational purpose or a film dealing with news & current events or documentary film	
1	2	3	4	5	6
1. All For You (Cartoon)	293.00	Films Division 24, Peddar Road, Bombay-400 026			'Documentary' General re- lease.
2. Bhand Jashna	576.99	Siddharth Kak 1, Geetika, S. V. Road Santacruz (W) Bombay-400 054.			-do-
3. Balaheenu Varghalaku Gruha Vasathi	298.00	Shri N. Krishnaswamy 25, II Street, Lake Area Nunga- mbakkam, Madras-34.			'Documentary' Release in Andhra Pradesh Cir- cuit.
4. Oonchi Uthti Jeevan Rekha	282.00	Shri V. Prabhakar C-26, Flower Queen Veera Desai Road Andheri, Bombay-58.	The Director of Inform- ation and Public Rela- tions, Govt. of Uttar Pradesh, Lucknow.		'Documentary' Release in Uttar Pradesh circuit.
5. The Wise Neighbour	66.00	Films Division, 24, Peddar Road, Bombay-26.			'Documentary' for Gene- ral Release.
6. The Mughal Gardens	492.00	-do-			-do-

1	2	3	4	5	6
7. Madhya Pradesh Samachar Darshan 45	256.33	Anand Hatvalne C/o Director of Information & Publicity, Govt. of Madhya Pradesh, Bhopal.	Director of Information & Publicity, Govt. of Madhya Pradesh, Bhopal.	'News and Current Events' Release in M.P. circuit.	
8. Mahiti Chitra No. 393	335.28	Asstt. Director of Information (F) Govt. of Gujarat, Ramnord Research Laboratory Ltd. 77, Dr. Annie Besant Road, Worli, Bombay-400018	Director of Information Govt. of Gujarat, Sachinagar—3820010.	'News and Current Events' Release in Gujarat circuit.	
9. Breast Feeding	439.00	Om Sakthi Films, H-17/4, Kotturpuram, Madras-600085		'Documentary,' for General Release.	
10. Mahitichitra	298.70	Asstt. Director of Inf (F) Govt. of Gujarat, Ramnord Research Laboratories Ltd., 77, Dr. Annie Besant Road, Worli, Bombay—400018.		'News & Current Events' Release in Gujarat Circuit only.	
11. Aaj Aur Kal	413.10	M/s. Mohan Wadhvani Productions, 21 Casablanca, Cuffe Parade, Bombay-400005.		'Documentary' General Release.	
12. The Trouble Is Over	90.02	Films Division, 24, Peddar Road, Bombay—400026		-do-	
13. Mushaira' 83	370.00	-do-		-do-	
14. Subh	292.00	-do-		-do-	
15. Fisher-Folk in Kerala	596.03	Shiva Productions T.C. 25/- 892, S.S. Kovil Thampanoor, Trivandrum.	Antony Pulickal, Shiva Productions, T.C. 25/892, S.S. Kovil Road, Thampanoor, Trivandrum.	'Documentary' Release in Kerala State.	
16. Maharashtra News No. 390	297.00	Directorate General of Information and Public Relations, Government of Maharashtra, Film Centre, 68, Tardeo Road, Bombay—400034.		'News and Current Events' Release in Maharashtra circuit.	
17. Call of The Bugle	294.00	Films Division, 24, Peddar Road, Bombay—400 026.		'Documentary' General Release.	
18. Books For Millions	306.00	-do-		-do-	
19. Pamgu Giri Langthe	393.49	Ashok Chakradhar, 88, B, Sunlight Colony-2 Ashram, N. Delhi-110014.	Ashok Chakradhar & Dulal Saikia. Sunlight Colony-2, Ashram, New Delhi. 110014.	General release classified as 'Documentary'.	
20. Himalay Ke Aangan Main	299.50	Dhirendra Pande, Producer (Newsreel), U.P. Information Deptt. Lucknow.		Release in U.P. only classified as 'Documentary'	
21. Educating For Better Health	295.00	Films Division, 24, Peddar Road, Bombay-400026.		For Release in Semi-urban and rural areas as 'Documentary'.	
22. Mahitichitra No. 395	298.70	Asstt. Director of Information Govt. of Gujarat, Ramnord Research Laboratories Ltd., 77, Dr. Annie Besant Road, Worli, Bombay—400018.		Release in Gujarat circuit 'News and Current Events'	
23. Jai Hind	585.00	Films Division 24, Peddar Road Bombay—400026		General release and classified as 'Documentary' in all its version.	

1	2	3	4	5	6
24. Varta Tarangini 42	259.00	Andhra Pradesh State Film Development Corporation Ltd., 11-5-423/1, Zafarbagh Lakdi-ka-pool, Hyderabad-4.			'News and Current Events' for release in Andhra Pradesh circuit.
25. Amma Chethi Chalava	313.73	C.H. Sekhar 10-4-503/1, Sri Ram Nagar, Hyderabad-500028.			'Documentary' for Release in Andhra Pradesh circuit.
26. Bethun Thatun Saurashtra	365.76	Asstt. Director of Information (F) Govt. of Gujarat Ramnord Research Laboratories Ltd. 77, Dr. Annie Besant Road, Worli, Bombay—400018.	Director of Information Govt. of Gujarat Sachivalaya Block 7, Gandhinagar—382010.		'Documentary' for release in Gujarat circuit.

[F.No. 315/3/83-F(P)]

नयी दिल्ली, 26 मार्च, 1984

## आदेश

क्रमांक 1237:—भारत सरकार के सूचना और प्रसारण मंत्रालय के आदेश सं० एस०पी० 3792, दिनांक 2 दिसम्बर, 1966 की प्रथम अनुसूची में निदिष्ट प्रत्येक अधिनियम के उपबन्ध के अन्तर्गत जारी किये गये निर्देशों के अनुसरण में केन्द्रीय सरकार, फिल्म सम्राट्कार बोर्ड, बम्बई की सिफारिशों पर विचार करने के बाद एतद्वारा इसके साथ लगी अनुसूची के कालम 2 में दी गई फिल्मों को, उनके सभी भारतीय भाषाओं के रूपांतरों सहित, जिनका विवरण प्रत्येक के सामने उक्त अनुसूची के कालम 6 में दिया हुआ है, स्वीकृत करती है:—

## अनुसूची

क्रम सं०	फिल्म का नाम	फिल्म की लंबाई (मीटरों में)	आयोजक का नाम	निर्माता का नाम	क्या वैज्ञानिक फिल्म है या शिक्षा संबंधी फिल्म है या समाचार और सामयिक घटनाओं की फिल्म है या डाकुमेंट्री फिल्म है
1	2	3	4	5	6
1. धीर सावरकर	599.00	फिल्म प्रभाग, 24, पैडर रोड, बम्बई-400026			डाकुमेंट्री फिल्म सामान्य प्रदर्शन के लिए।
2. फ्लाइंग 19	526.00	-तथैव-			-तथैव-
3. बिन पानी सब सूत	269.13	श्री एस जी खिरवाडकर, उप-निदेशक, सूचना और प्रचार, मध्य प्रदेश सरकार, भोपाल	श्री संधीप बनर्जी, निदेशक सूचना और प्रचार, मध्य प्रदेश सरकार, भोपाल		डाकुमेंट्री फिल्म। मध्य प्रदेश सर्किट में प्रदर्शन के लिए।
4. महिति चित्र संख्या 389	298.70	सहायक निदेशक, सूचना, गुजरात सरकार रामनार्डि सेबोरेट्री लिमिटेड, 77, डा० एमी बेसेन्ट रोड, बर्ली, बम्बई-18	निदेशक, सूचना, गुजरात सरकार, सचिवालय, गांधी नगर		समाचार और सामयिक घटनाओं की फिल्म। गुजरात सर्किट प्रदर्शन के लिए।
5. हूल्फ थोरसैल्फ	276.45	बासिल-जल-हूक, मार्फत गोल्डन एक्विपमेंट्स, गैरेज संख्या 10, नूतन नगर, टनर रोड, ब्रांसा (पश्चिम) बम्बई-50			डाकुमेंट्री फिल्म सामान्य प्रदर्शन के लिए।
6. पब्लिक प्रोब्लैट फंड	304.80	श्रीमती इरका देव, 'प्राश्न' 450, गोखले रोड, पुणे-411016			-तथैव-

1	2	3	4	5	6
7.	बरदास	563.88	एस धार साज, प्रोप्राइटर: एम्मा ए-मूवी सेकर्स एसोसिएशन, 4/5, काजी व्याधम, 291, एम०बी० रोड, बोझा, बम्बई-400050		डाकुमेंट्री फिल्म। ग्रामीण तथा ग्रामीण क्षेत्रों में प्रदर्शन के लिए।
8.	ए.एम.विश डेय (कार्टून)	230.124	फिल्म प्रभाग, 24-पैडर रोड, बम्बई-36		डाकुमेंट्री फिल्म। सामान्य प्रदर्शन के लिए।
9.	एक्सप्लोडेशन गंठकटिका	583.00	-तथैव-		-तथैव-
10.	फाक फेयर तरनेतर	470.92	सहायक निदेशक, गुजरात सरकार, रामनाथ रिसर्च लेबोरेट्री लिमिटेड, 77, डा० एनी बेसेन्ट रोड, वर्ली, बम्बई-18	निदेशक, सूचना गुजरात सरकार, सचिवालय, गांधीनगर।	डाकुमेंट्री फिल्म। गुजरात सफ़िट में प्रदर्शन के लिए।
11.	महाराष्ट्र समाचार संख्या 388	274.00	सूचना और जनसंपर्क महानिदेशालय, महाराष्ट्र सरकार, फिल्म सेंटर, 68, तारवेव रोड, बम्बई-54		समाचार तथा सामयिक घटनाओं की फिल्म महाराष्ट्र सफ़िट में प्रदर्शन के लिए।
12.	वार्ता तरंगिनी संख्या 39	285.00	प्राध्र प्रदेश राज्य फिल्म विकास निगम लिमिटेड, 11-5-423/1, जफरबाग, लकड़ी का पुल, हैदराबाद।		समाचार तथा सामयिक घटनाओं की फिल्म। प्राध्र प्रदेश सफ़िट में प्रदर्शन के लिए।
13.	आई यू डी कार्टून्स	68.00	फिल्म प्रभाग, 24-पैडर रोड, बम्बई-400026		डाकुमेंट्री फिल्म। सामान्य प्रदर्शन के लिए।
14.	फटिलाहजर फटिलाहजर फटिलाहजर	312.00	-तथैव-		-तथैव-
15.	बी हूव रोब दैम	229.00	रानेन लटर्जी, सी 10/1, जीवन बीमा नगर, बोरीबिन्ली, बम्बई-103		-तथैव-
16.	नेहरू इन रिमेम्बरेंस	549.00	फिल्म प्रभाग, 24, पैडर रोड, बम्बई-26		-तथैव-
17.	एलीप्स	573.00	श्री एन बी के मूर्ति, निदेशक, भारतीय फिल्म और टेलीविजन संस्थान, पुणे-411004	भारतीय फिल्म और टेलीविजन संस्थान, पुणे-411004	-तथैव-
18.	मन्निति चित्र संख्या 380	292.61	सहायक निदेशक, सूचना, गुजरात सरकार, रामनाथ रिसर्च लेबोरेट्री लिमिटेड, 77 डा० एनी बेसेन्ट रोड, वर्ली बम्बई-400018	निदेशक, सूचना, गुजरात सरकार सचिवालय, गांधी नगर।	समाचार तथा सामयिक घटनाओं की फिल्म। गुजरात सफ़िट में प्रदर्शन के लिए।
19.	चलना चित्र नंदी बहुमण्डले प्रश्नोत्तर-1982	317.00	प्राध्र प्रदेश राज्य फिल्म विकास निगम लिमिटेड, 11-5-423/1, जफरबाग, लकड़ी का पुल, हैदराबाद-4		डाकुमेंट्री फिल्म। प्राध्र प्रदेश सफ़िट में प्रदर्शन के लिए।
20.	कर्णक	425.81	डा० पी० के० राजहंस, डी०डी० टेलीविजन फिल्म, आल इंडिया, 'विश्वजीत' प्रपाटमेंट्स, 35-नेहरू रोड, मांताकूज पूर्व, बम्बई-55		डाकुमेंट्री फिल्म। सामान्य प्रदर्शन के लिए।
21.	कौन डिमैबिलिटी बी एन प्रोफेस	305.00	श्री जी० प्रसाद, गोविन्द भवन, बलिया, बला, लिब्रेरियम-695036		-तथैव-



1	2	3	4	5	6
22. उर्वर जहासे पानी	800.00 (फूट)	महानिदेशक, सूचना और जनसंपर्क महानिदेशालय, महाराष्ट्र सरकार, फिल्म सेंटर, 68-तारखेव रोड, बम्बई-34			डाकुमेंट्री फिल्म। महाराष्ट्र सर्किट में प्रदर्शन के लिए।
23. खबरदार होशियार	114.00	श्री गुलाब सिंह, मार्फत, हाजी चौक नं० 2 भार० नं०. 16, जवाहरनगर, खार, बम्बई-55			डाकुमेंट्री फिल्म। सामान्य प्रदर्शन के लिए।
24. स्टोरी आफ ए रेबोल्यूशन	590.00	पी०भार०एस० पिल्ले, अध्यक्ष तथा प्रबन्धक निदेशक, केरल राज्य फिल्म विकास निगम, काटन हिल, त्रिवेन्द्रम-14		-तथैव-	
25. योगा इन प्रोथोपीडिक डिस्पाइंस	230.00	अनिल कविश, शक्ति काजा, संजय 2, हिंदर कोपरेटिव हाउसिंग सोसायटी, 93/ए, वामन वाड़ा, बम्बई-99	प्रार्थोपोडिक विभाग, अखिल भारतीय आयुर्विज्ञान संस्थान, सफदरजंग, नई दिल्ली।	-तथैव-	
26. महिति चित्र संख्या 391	266.70	सहायक निदेशक, सूचना (फिल्म), गुजरात सरकार, रामनाथ रिसर्च, लेबोरेट्री लिमिटेड, 77, डा० एनी बेसेंट रोड, वर्ली, बम्बई-18	निदेशक सूचना, गुजरात सरकार सचिवालय, गांधी नगर।	समाचार और सामयिक घट- नाओं की फिल्म। केवल गुजरात सर्किट में प्रदर्शन के लिए।	
27. महाराष्ट्र समाचार संख्या 389	298.00	सूचना और जनसंपर्क, महानिदेशालय, महाराष्ट्र सरकार, फिल्म सेंटर, तारखेव रोड, बम्बई-34			समाचार और सामयिक घटनाओं की फिल्म। केवल महाराष्ट्र सर्किट में प्रदर्शन के लिए।
28. हायसाला स्कलपचर आफ कर्नाटक	289.00	मैसर्स कोमल प्रोडक्शन्स, 4/54, फर्स्ट मैन रोड, टाटा सिल्क फार्म, वसावनगुडी, बंगलोर-4	श्री टी० एस० नरसिम्ह एण्ड बी०एस० सोमसुंदर 4/54, फर्स्टमैन रोड, टाटा सिल्क फार्म, वसावनगुडी, बंगलोर-4		डाकुमेंट्री फिल्म। कर्नाटक सर्किट में प्रदर्शन के लिए।
29. बालुकयन प्राचिटेक्चर आफ कर्नाटक	219.00	-तथैव-	-तथैव-	-तथैव-	
30. उत्तर प्रदेश समाचार संख्या 107	282.00	श्री बी० प्रभाकर, सी-26, फ्लेचर क्वीन, बीर वेसाई रोड, अंधेरी, बम्बई-50	निदेश, सूचना, और जनसंपर्क उत्तर प्रदेश सरकार, लखनऊ।		समाचार और सामयिक घटनाओं की फिल्म। उत्तर प्रदेश सर्किट में प्रदर्शन के लिए।
31. केरल बैल्स आफ नार्थ ईस्ट	411.74	मियो सिने प्रोडक्शन्स, जयजो, संसनींग, शिलांग।	श्री रिशन रेप्संग जयजो, संसनींग, शिलांग-2		डाकुमेंट्री फिल्म उत्तर-पूर्वी राज्यों में प्रदर्शन के लिए।
32. गोवावरी बैरेज	381.10	श्री एस०भार० चन्द्रन, 6-153, गड्डे अन्नेरम, हैबराबाद-36			डाकुमेंट्री फिल्म : आंध्र प्रदेश सर्किट में प्रदर्शन के लिए।
33. अलीगढ़ मुस्लिम विश्वविद्यालय	357.00	फिल्म प्रभाग, 24-वीडर रोड, बम्बई-400026			डाकुमेंट्री फिल्म। सामान्य प्रदर्शन के लिए।
34. महिति चित्र संख्या 392	298.70	सहायक निदेशक, सूचना (फिल्म), गुजरात सरकार, रामनाथ रिसर्च लेबोरेट्री लिमिटेड, 77, डा० एनी बेसेंट रोड, वर्ली, बम्बई-26	निदेशक, सूचना, गुजरात सरकार, सचिवालय, ब्लाक-7 गांधी नगर-10		समाचार और सामयिक घटनाओं की फिल्म। गुजरात सर्किट में प्रदर्शन के लिए।
35. वार्ता तरंगिनी संख्या 40	296.00	आंध्र प्रदेश राज्य फिल्म विकास निगम लिमिटेड, 11-5-423/1, जफरबाग, लकड़ी का पुल, हैदराबाद-500004			समाचार और सामयिक घटनाओं की फिल्म। आंध्र प्रदेश सर्किट में प्रदर्शन के लिए।
36. वार्ता तरंगिनी संख्या 42	256.00	-तथैव-		-तथैव-	

[[फाइल संख्या 315/3/83-एफ (पी)]]

सुकुमार मंडल, डेरक अधिकारी

New Delhi, the 26th March, 1984

## ORDER

S.O. 1237.—In pursuance of the directions issued under the provision of each of the enactments specified in the First Schedule to the Order of the Government of India in the Ministry of Information and Broadcasting No. S.O. 3792 dated 2nd December 1966 the Central Government after considering recommendations of the Film Advisory Board Bombay hereby approves the films specified in column 2 of the Schedule annexed hereto in all its/their language versions to be of the description specified against it/each in column of the said schedule.

## SCHEDULE

Sl. Title of the film No.	Length of the film in metres	Name of the applicant	Name of the producer	Briefs synopsis whether a scientific film or for edu- cational purpose or a film dealing with news & current event or docu- mentary film
1	2	3	4	5
1. Veer Savarkar	599.00	Films Division 24-Peddar Road. Bombay-400026		'Documentary' General re- lease.
2. Point 19	526.00	-do-		-do-
3. Bin-Pani Sab Soon	269.13	Shri S.G. Khirwadkar Dy. Director Information & Publicity, Govt. of Madhya Pradesh, Bhopal.	Shri Sudeep Banerjee Dir- ector Information & Pub- licity of Govt. of Madhya Pradesh, Bhopal.	'Documentary' Release in M.P. circuit.
4. Mahitichitra No. 389	298.70	Asstt. Director of Inform- ation Govt. of Gujarat Ramnord Research Labo- ratory Ltd. 77, Dr. Annie Besant Road, Worli, Bombay-18.	Director of Information Govt. of Gujarat, Sachivalaya, Gandhi Nagar.	News and Current Events (Release in Gujarat cir- cuit).
5. Help Yourself	276.45	Wasil-Ul Haque C/o Gold- den Equipments, Garage No. 10, Nutan Nagar, Turner Road, Bandara (W) Bombay-50.		'Documentary' General re- lease.
6. Public Provident Fund	304.80	Smt. Dwarka Deo 'Ashraya' 450 Gokhale Road, Pune- 411016.		-do-
7. Vardaan	563.88	S.R. Saaz, Prop: AMMA-A Movie Maker's Association 4/5, Kazi Blocks 291, S.V. Road, Bandra, Bombay— 400050		'Documentary for release in semi-urban and rural areas
8. A Race With Death (Cartoon)	230.124	Films Division, 24-Peddar Road, Bombay-26.		'Documentary' General re- lease.
9. Exploration Antarctica	583.00	-do-		-do-
10. Folk Fair Tarnetar	470.92	Asstt. Director of Informa- tion Govt. of Gujarat Ram- nord Research Laboratory 77, Dr. Annie Besant Road, Worli, Bombay-18.	Director of Information Govt. of Gujarat Sachiva- laya, Gandhinagar.	'Documentary' Release in Gujarat circuit.
11. Maharashtra News No. 388	274.00	Directorate General of In- formation and Public Rela- tions, Govt. of Maharashtra Film Center, 68-Fardeo Road, Bombay-34.		'News and Current events' Release in Maharashtra circuit.
12. Varta Tarangini No. 39	285.00	Andhra Pradesh State Film Development Corporation Ltd. 11-5-423/1, Zafarbagh Lakdi-ka-pool, Hydera- bad.		'News and Current events' Release in Andhra Pradesh circuit.

1	2	3	4	5	6
13. I.U.D.—Copper-T	68.00	Films Division, 24-Peddar Road, Bombay—400026			'Documentary' General release.
14. Fertilizer, Fertilizer, Fertilizer.	312.00	-do-			-do-
15. We have to reach them	229.00	Ranen Chatterjee C/10/1 Jeevan Bimanagar Borivilli, villi, Bombay—400103.			-do-
16. Nehru In Remembrance.	549.00	Films Division, 24-Peddar Road, Bombay-26.			-do-
17. Aipt	573.00	Shri N.V.K. Murthy Director, Film and TV Institute of India, Pune-411004	Film and TV Institute of India Pune-411004.		-do-
18. Mahiti Chitra No. 390	292.61	Asstt. Director of Information, Govt. of Gujarat Ramnord Research Laboratory Ltd. 77, Dr. Annie Besant Road, Worli, Bombay—400018	Director of Information Govt. of Gujarat Sachivalaya, Gandhinagar.		'News and Current events' Release in Gujarat circuit.
19. Chalanachitra Nandi Bahumathula Pradhanaotsavam-1982	317.00	Andhra Pradesh State Film Development Corporation Ltd. 11-5-423/1, Zafarbagh Lakdi-ka-pool, Hyderabad-4.			'Documentary' for release in Andhra Pradesh circuit only.
20. Kalank	425.81	Dr. P.K. Rajhuns, DD. Television Films of India 'Vishwajit' Apts. 35 Nehru Road, Santacruz East, Bombay—55.			'Documentary' General release.
21. Can Disability Be An Offence	305.00	Shri G. Prasad Govinda Bhavan, Valiya Chala, Trivandrum—695036			-do-
22. Udand Jahale-Panee.	800.00 (ft)	Directorate General of Information and Public Relations, Govt. of Maharashtra, Film Center, 68, Tardeo Road, Bombay-34			'Documentary' for Release in Maharashtra circuit only.
23. Khabardar Hoshyar	114.00	Shri Gulab Singh C/o Haji Chawl No. 2 R. No. 16, Jawahar Nagar, Khar, Bombay—55.			'Documentary' for General release.
24. Story of A Revolution	590.00	P.R.S. Pillay, Chairman and Managing Director, Kerala State Film Development Corporation, Cotton Hill, Trivandrum—14.			-do-
25. Yōga in Orthopaedic Disorders	230.40	Anil Kavish, Shakti Kaza Sangam, 2, Heather Co-operative Housing Society, 93/A, Bamanwada, Bombay—99.	Deptt. of orthopaedic All India Institute of Medical Sciences, Safdarjung, New Delhi.		-do-
26. Mahiti Chitra No. 391	266.70	Asstt. Director of Information (Films), Govt. of Gujarat, Ramnord Research Laboratory Ltd., 77 Dr. Annie Besant Road, Worli, Bombay—18.	Director of Information, Govt. of Gujarat Sachivalaya, Gandhinagar.		'News and Current Events' Release in Gujarat circuit only.
27. Maharashtra News No. 389	298.00	Directorate General of Information and Public Relations, Govt. of Maharashtra Film Center, Tardeo Road, Bombay-34.			'News and Current Events' Release in Maharashtra circuit only.

1	2	3	4	5	6
28. Hoysala Sculpture of Karnataka	289.00	M/s. Komal Productions, 4/54, First Main Road, Tata Silk Farm Basavangudi, Bangalore-4.	Shri T.S. Narasimhan & B. S. Somasundar, 4/54, First Main Road, Tata Silk Farm, Basavangudi Bangalore-4.	'Documentary' Release in Karnataka circuit.	
29. Chalukyan Architecture Of Karnataka.	219.00	-do-	-do-	-do-	
30. Uttar Pradesh Samachar No. 107	282.00	Shri V. Prabhakar C-62 Fl-ower Queen Veera Desai Road, Andheri, Bombay-58.	The Director of Information and Public Relations of Uttar Pradesh., Lucknow.	'News and Current Events' Govt. Release in U.P. circuit.	
31. Cattle Wealth of North East.	411.74	Neo Cine Production, Jaijaw Lanlgnsning, Shillong.	Shri Rishan Rapsang, Jai-jaw, Langsaning Shillong-2.	'Documentary' Release in North East. States.	
32. Godavari Barrage	381.10	Shri S.R. Chandran, 6-153, Gadde Anneram, Hyderabad-36.		'Documentary' Release in Andhra Pradesh circuit.	
33. Aligarh Muslim University	357.00	Films Division, 24-Peddar Road, Bombay-400026		'Documentary' General Release.	
34. Mahiti Chitra No. 392	298.70	Asstt. Director of Information (Films) Govt. of Gujarat, Ramnord Research Laboratory Ltd., 77, Dr. Annie Besant Road, Worli, Bombay-26.	Director of Information, Govt. of Gujarat, Sachivalaya, Block 7, Gandhi -nagar-10	'News & Current Events' Release in Gujarat circuit	
35. Varta Tarangini No. 40	296.00	Andhra Pradesh State Development Corporation Ltd. 11-5-423/1, Zafar-bagh, Lakdi-ka-pool, Hyderabad- 600004.		'News and Current Events' Release In Andhra Pradesh Circuit.	
36. Varta Tarangini No. 41	1256.50	-do-	-do-	-do-	

[F. No. 315/3/83-F(P)]

SUKUMAR MANDAL, Desk Officer.

## रेल मंत्रालय

(रेलवे बोर्ड)

नई दिल्ली, 27 मार्च, 1984

का० आ० 1238.—सरकारी स्थान (अपराधिकृत अधिकारियों की बेवबली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए राष्ट्रपति, एतद्वारा भारत सरकार, रेल मंत्रालय (रेलवे बोर्ड) की दिनांक 23 जुलाई, 1983 की अधिसूचना सं० साविधिक आदेश 3080 में निम्नलिखित संशोधन करते हैं अर्थात्:-

उक्त अधिसूचना की तालिका में, (1) क्रम सं० 3 और उसके सामने की गयी कालम (1) और (2) की प्रविष्टियों के स्थान पर क्रमशः निम्नलिखित प्रतिस्थापित किया जाये, अर्थात्:-

"3 (i) भूमि नियंत्रण अधिकारी, उत्तर रेलवे, इलाहाबाद सम्पूर्ण इलाहाबाद मंडल, उत्तर रेलवे के प्रशासनिक नियंत्रण के अधीन स्थान।

(ii) भूमि नियंत्रण अधिकारी उत्तर रेलवे, नयी दिल्ली। उसके क्षेत्राधिकार के अंतर्गत उत्तर रेलवे के प्रशासनिक नियंत्रण के अधीन स्थान।

(iii) मंडल रेल प्रबंधकों के कार्य-कारी सहायक, उत्तर रेलवे, क्रमशः उनके क्षेत्राधिकार के अंतर्गत उत्तर रेलवे के प्रशासनिक

इलाहाबाद, बीकानेर, दिल्ली, फिरोज-पुर, जोधपुर, लखनऊ और मुरादाबाद। नियंत्रण के अधीन स्थान।

(iv) सहायक इंजीनियर, उत्तर रेलवे, इलाहाबाद, बीकानेर, दिल्ली, फिरोज-पुर, जोधपुर, लखनऊ और मुरादाबाद। क्रमशः उनके क्षेत्राधिकार के अंतर्गत उत्तर रेलवे के प्रशासनिक नियंत्रण के अधीन स्थान।

(v) सम्पदा अधिकारी, बड़ौदा हाउस उसके क्षेत्राधिकार के अंतर्गत उत्तर रेलवे के प्रशासनिक नियंत्रण के अधीन स्थान।

(ii) क्रम सं० 15 के लिये और उसके सामने कालम (1) और (2) की प्रविष्टियों के स्थान पर क्रमशः निम्नलिखित प्रतिस्थापित किया जाये अर्थात्:-

"15. बरिष्ठ उप सहायक, मेट्रो-रेलवे, कलकत्ता भूमि गत रेल (संक्रमण अधिनियम, 1978. (1978 का 33) में यथा परिभाषित कलकत्ता महानगर की सीमा में स्थित मेट्रो रेलवे के नियंत्रण के अधीन स्थान।"

[फाईल सं० 82/885/2/14/4)]  
ऐ० जोहरो, सचिव रेलवे बोर्ड

## MINISTRY OF RAILWAYS

(Railway Board)

New Delhi, the 27th March, 1984

S.O. 1238.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the President hereby makes the following amendments to the notification No. S.O. 3080 dated the 23rd July, 1983, of the Government of India, Ministry of Railways (Railway Board) namely :—

In the Table to the said notification : (i) for serial No. 3 and the entries against it in columns (1) and (2), the following shall, respectively be substituted, namely :—

- |  |   |
|--|---|
| <p>“3.(i) Land Control Officer, Northern Railway, Allahabad.</p> <p>(ii) Land Control Officer Northern Railway, New Delhi.</p> <p>(iii) Executive Assistants to Divisional Railway Managers Northern, Railway Allahabad, Bikaner, Delhi, Ferozepur, Jodhpur, Lucknow and Moradabad.</p> <p>(iv) Assistant Engineer, Northern Railway, Allahabad, Bikaner, Delhi, Ferozepur, Jodhpur, Lucknow and Moradabad.</p> <p>(v) Estate Officer, Baroda House.</p> | <p>Premises under the Administrative control of the entire Allahabad Division, Northern Railway.</p> <p>Premises under the Administrative control of the Northern Railway under his jurisdiction</p> <p>Premises under the administrative control of the Northern Railway under their respective jurisdiction</p> <p>Premises under the administrative control of the Northern Railway under their respective jurisdiction.</p> <p>Premises under the administrative control of the Northern Railway under his jurisdiction</p> |
|--|---|
- (ii) for serial No. 15 and the entries against it in columns (1) and (2), the following shall, respectively be substituted, namely
- “15. Senior Deputy General Manager, Metro Railway, Calcutta.”
- Premises under the control of metro railway situated within the limits of metropolitan city of Calcutta as defined in the Metro Railway. (Construction of Works), Act, 1978 (33 of 1978)”. ”

(F. No. 82/W2/14/4)

A. JOHRI, Secy.

Railway Board

संचार मंत्रालय

( डाक तार बोर्ड )

नई दिल्ली, 29 मार्च, 1984

का० प्रा० 1239.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किये गये भारतीय तार नियम, 1951 के नियम 434 के खण्ड iii के पैरा (क) के अनुसार डाक-तार महानिवेशक ने हबडा टेलीफोन केन्द्र में दिनांक 16-4-1984 से प्रमाणित दर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-14/84/पी० एच० बी०]

त्रिलोकी नाथ, सहायक महानिवेशक (पी० एच० ए०)

## MINISTRY OF COMMUNICATIONS

(P&amp;T Board)

New Delhi, the 29th March, 1984

S.O. 1239.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General Posts and Telegraphs, hereby specified 16-4-1984 as the date on which the Measured Rate System will be introduced in Habra CBM Telephone Exchange W.B. Circle.

[No. 5-14/84-PHB]

TRILOKI NATH, Asstt. Director General (PHB)

अम तथा पुनर्वासि मंत्रालय

(अम विभाग)

आदेश

नई दिल्ली, 14 मार्च, 1984

का० प्रा० 1240.—केन्द्रीय सरकार की राय है कि इससे उपायय प्रनुसूची में विनिर्दिष्ट विषय के बारे में भारतीय खाद्य निगम, मद्रास के प्रबंधन से सम्बन्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मचारों के बीच विद्यमान है ;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना बांछनीय समझती है ;

अतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 ( 1947 का 14 ) की धारा 7-क और धारा 10 की उपधारा ( 1 ) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री टी० प्रवलराज होंगे, जिनका मुख्यालय मद्रास में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

प्रनुसूची

“क्या भारतीय खाद्य निगम, मद्रास के प्रबंधन की अपने धारकोनोम डिपो ( निर्माण कार्य ) के एन० एम० मार० बर्क एमिस-टेंट, श्री के० टी० चन्नाबाबू की सेवाएं 7-12-1977 से समाप्त करने तथा नई भर्ती के समय उसके नियोजन के लिए विचार न करने की कार्यवाही न्यायोचित है ? यदि नहीं, तो संबंधित कर्मकार किस प्रनुसूची का हकदार हैं ? ”

[सं० एल०-42012/30/83-डी०-2(बी०) डी०-4 (बी०) डी०-5]

सी० डी० मारदाज, डैक्क अधिकारी

## MINISTRY OF LABOUR AND REHABILITATION

(Department of Labour)

ORDER

New Delhi, the 14th March, 1984

S.O. 1240.—Whereas the Central Government is of opinion that an Industrial dispute exists between the employers in relation to the Food Corporation of India Madras and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now therefore, in exercise of the powers conferred by Section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947) the Central

Government hereby constitutes an Industrial Tribunal of which Shri T. Arulraj shall be the Presiding Officer, with headquarters at Madras and refers the said dispute to adjudication to the said Tribunal.

#### SCHEDULE

Whether the action of the management of the Food Corporation of India, Madras in terminating the services of Shri K. T. Chandrababu, NMR work Assistant at their Arkonom Depot (Construction work) w.e.f. 7-12-1977 and not considering him for employment while appointing fresh hands, is justified? If not, to what relief is the concerned workman entitled?

[No. L-42012(30)/83-DII(B)/D. IV(B)/D. V]

C. D. BHARDWAJ, Desk Officer

New Delhi, the 24th March, 1984

S.O. 1241.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Calcutta in the industrial dispute between the employers in relation to the management of Girmint Colliery No. 1 Pit, P.O. Pariharpur, Dist. Burdwan of Eastern Coalfields Ltd., and their workmen, which was received by the Central Government on the 21st March, 1984.

#### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

Reference No. 89 of 1978

#### PARTIES :

Employers in relation to the management of Girmint Colliery No. 1 Pit, P.O. Pariharpur, Dist. Burdwan of Eastern Coalfields Ltd.

#### AND

Their workmen.

#### APPEARANCES :

On behalf of Employers—Mr. Bhaskar Gupta with Mr. M. N. Kar, Advocate.

On behalf Workmen—Mr. S. Roy, Advocate for Colliery Mazdoor Sabha, Mr. C. S. Mukherjee, Advocate for Colliery Mazdoor Sabha of India.

STATE : West Bengal. INDUSTRY : Coal Mines

#### AWARD

By order No. L-19011(2)/78-D.IV(B) dated 16th November, 1978, the Government of India, in the Ministry of Labour has referred the following dispute to this Tribunal for adjudication :

"In view of the prevailing water problems at different sections of Pit No. 1 Girmint Colliery, P. Pariharpur, Dist. Burdwan of Eastern Coalfields Ltd., whether the demand of underground loaders working therein for payment of "difficulty allowance" is justified? If so, what should be the quantum of such allowance and from which date it should be paid."

On a perusal of the above it is clear that the only question in this case is as to whether the concerned underground loaders are entitled to get difficulty allowance due to the prevailing water problems at different sections of Pit No. 1 Girmint Colliery. It may, however, be noticed that though the schedule to the reference mentions different sections of Pit No. 1, in fact the Dispute is confirmed to only one

section No. 17 of Pit No. 1 as admitted by both sides before this Tribunal. Reference in this connection may be made to the evidence of Witness No. 2 Sri Rajdeo Rajbhar who has said in cross-examination "My prayer for difficulty allowance is for working in Pit No. 1 of Section No. 17".

2. Before I deal with the issue in question, I would like to mention that section 17 was opened as deposed to MW1 Sri Sahajwani, either in the end of December, 1977 or in the early part of January, 1978 and it was closed in July, 1980 after completion of the mining operation and since then it has been sealed up. In other words this section was in operation only for 2-1/2 years and it is not existence after July, 1980. Surprisingly enough the claim made by the workmen for difficulty allowance is from first July, 1973. I am not inclined to believe WW 2 Sri Rajdeo Rajbhar who has said that he has worked for 5 years in this section prior to closure. In my opinion there is no good reason to disbelieve MW 1 Sri Sahajwani who is the Manager of the Girmint Colliery and in whose time the section 17 opened, I believe him.

3. I will now come to the issue in question. Sri S. Roy appearing for the Colliery Mazdoor Sabha contended that as per terms of the reference there was water problem and hence it is not open to the management to argue that there was no water problem. He submitted that the Tribunal cannot travel beyond the terms of the reference. In order to show that there was water problem he also referred to the conciliation notices (Exhibit W2), the strike resorted to by the workmen twice in the year 1978 and also to the fact that the management itself wanted to discuss the matter with the Union. Sri Roy also referred to the evidence of WW1 Sri Sunil Sen, the Organising Secretary of the Colliery Mazdoor Sabha who has said in his evidence that there was not only water logging in Pit No. 1 but also the water fell from the roof and that the underground loaders were facing difficulty in loading the coal from water. The witness further said that due to water accumulation the normal output was lower than what would have been in the normal condition of the mine. The witness said that the loaders were piece-rated workers and if the normal condition would have been prevailing they should have earned at least 20 to 25 per cent more than what they were earning in the difficult situation. The learned counsel also referred to the evidence of WW 2 Rajdeo Rajbhar and WW 3 Ramchandra Ahir. WW 2 who was working in section 12 of Pit No. 1 at the time of his deposition said that he was feeling difficulty in working at his working place, as it was filled with more than knee deep water and that the water was coming from both above and underground. He also said that he did less work than what he could have done in ordinary place of work and was working in section 12 of Pit No. 1 at the time of his deposition said that whenever he bent down to raise coal his chin touched the water and his hands were also effected by the constant touch of water which affected his health very much. He further said that if there was no water he could have loaded 6 tubs. On the basis of the above Sri Roy argued that there was water problem and hence the workmen were entitled to difficulty allowance. I am not inclined to accept his contention regarding the entitlement to difficulty allowance. Undoubtedly there was some water problem. The terms of reference do not indicate as to the exact nature of the water problem. In my opinion the witnesses examined on behalf of the workmen have exaggerated the nature of the water problem by stating that there was water logging to the extent of knee deep or more. In my opinion the evidence MW1 Sri Sahajwani, the manager of the Girmint Colliery is reliable and it is supported by materials on record. He has worked in a number of mines, one in Sri-pur area and two collieries in Khunatoria area. He is associated with the coal mines from 1964 after graduating in Mining Engineering. He is thus a responsible officer. According to him water percolation is a normal feature in mining and it is controlled by the use of pumps and by employing bailing mazdoors and that water accumulation was never allowed to be more than ankle deep. His positive evidence in chief is as below—

"Natural characteristics in the coal mines are water, gas, faults, dikes etc. Water is the natural pheno-

monon in all the coal mines. It normally falls from sides, roofs, floors, and during the working in the dip, water accumulates towards the face from where the water is pumped out by means of different pumps. In Coal Mines Regulation 1957 itself under regulation 127(3) para 2 it is stated that if any heavy seepage of water which is not normal to the seam is noticed in any working approaching, but not within 60 meters of any such disused or abandoned working, such working shall be immediately stopped. There are other authorities also to show that water in a mine is normal phenomenon, as for example, Chapter 7, of the Mine Fires Explosions Rescue Recovery and Inundations by M.R. Ramlu and another book named Inundations in Mines by Rakesh and M. G. Lele, Chapter I under heading Sources of Water in Mines, another named Coal Mining Practice edited by I.C.F. Statham, Volume III, Chapter 7, Mines Drainage and Pumping. In Coal Wage Board Report, Volume I at page 118, paragraph 53 it is stated, "The Joint Working Committee has however pointed out that this is a feature of normal mining operations".

The witness has further spoken about the carrying out the normal mining operation. It is not necessary to mention them here. The witness has further explained that at regular intervals small sumps have been made wherefrom water was allowed to collect and was being pumped out. He said that if the pumping capacity would not have been adequate the water level would continue increasing and the whole area will get drawnd and normal operation of coal will come to a stand still. He has said that pumping capacity was more than adequate to completely dewater the section and making progress towards the dip. He has also said that no difficulty allowance is paid in any colliery. He referred to Dhemo Main Colliery which was at a distance of about 20 km. and Patmohana Colliery which is at a distance of about 25 km from the Girimint Colliery. He denied that there was any loss to the concerned workmen. He has proved eleven wages sheets (Ext. M 1) in order to show that there was no loss to them. His evidence is supported by these documents. Exhibit M-I show that the average work load of Rajdeo Rajbhar (WW2) varied from 2.4 to 3.3 prior to the start of section and during the working of the section from 2.5 to 2.84 and that in the case of Ramchander Ahir (WW3) the work load varied from 2.32 to 3.1 prior to the starting of the section and during the working of the section it varied from 2.28 to 3.11. The witness explains that this is normal variation of a piece-rated worker and this showed that there was no loss of wages to them. The witness has also said the explosives could not be used in watery condition as after seepage of water the explosives will lose their blasting power. From the evidence of MW 1 Sri Sahajwani I have no doubt in my mind that water problem in question is a normal feature of mining operation and that the water never accumulated more than ankle deep. Shri Bhaskar Gupta appearing for the management drew my attention to a passage in Chapter 7 at page 284 in book "Mines Fire Explosives Rescue, Recovery and Inundation" written by Mr. M. A. Ramlu are under the heading water inundation runs as under :—

"On distinguishes between two types of water influx in mines : the normal influx, and the sudden inrush or irruption. The normal water influx can be attributed to several sources such as stream bed seepage, general surface seepage, and barrier pillar seepage. For a given mine, it varies within a certain range depending on the amount and intensity of rainfall, intersection of faults and fissures by mines working, and the condition of starts as affected by the progress of extraction."

He also referred to Regulation 127 of the Coal Mines Regulation 1957 which deals with the danger from underground inundation. The provision to that regulation runs as follows "Provided that if any heavy seepage of water which is not normal to the seam is noticed in any working approaching but not within 60 meters of any such disused or abandoned working, such working shall be immediately stopped,

and the Chief Inspector and the Regional Inspector shall forthwith be informed about the occurrence. The working shall not be extended further except with the prior permission in writing of the Chief Inspector and subject to such conditions as he may specify therein." He argued that the workmen have not complained that there was non-compliance with regulation 127. He also referred to paras 53 and 54 of the recommendation of the Central Wages Board for the Coal Mining Industry. They are as follows.

"53. The Indian National Mine Workers' Federation (INTUC) has claimed the following allowances for these conditions :—

- (a) Upto ankle deep water or water dripping from coal while loading tubs on headloads—10 per cent of the tubs rate;
- (b) Ankle deep to below knee deep water or water dripping from roof—10 per cent of the tub rate;
- (c) In case where mines have to bail out water themselves, full rates for as many bailing mazdoors as may be necessary.

The All Indian Khan Mazdoor Federation (HMS) has claimed a special allowance of 10 per cent of the total wages of an underground miner for water seepage. It has also claimed an allowance at the same rate for coal cutters for water logging on coal face and further claimed that coal cutters should be paid 1-1/2 (one and a half) time their hourly rates for the time taken in bailing out water. The United Trade Union Congress has claimed an omnibus allowance of 10 to 20 per cent for the difficult mining conditions generally.

The Joint Working Committee has however, pointed out that this is feature of normal mining operation and that a separate allowance is not justified since pumping or bailing mazdoors are usually provided for removing water at working faces.

54. While it is difficult to make any specific recommendation in this connection, we would recommend that where the miners and/or loaders are called upon to do the work of the bailing mazdoors, they should be compensated by payment equivalent to the wages of times rated bailing mazdoors or mazdoors who would have been otherwise required to do this work. The full rates payable to such bailing mazdoors should be equally divided and paid to the gang of mines and/or loaders, who are called upon to do this extra work."

It is clear from the above that the Joint Working Committee was of the opinion that that was feature of normal mining operation and a separate allowance is not justified. It is also clear that para 54 will come into operation only where the loaders were also called upon to do the work of bailing mazdoors and in that case they may be compensated. Thus the recommendation of the Coal Wage Board does not support the case of the Union. WW 1 Sri Sunil Sen admitted in his evidence that the recommendation of the Coal Wage Board is binding on the workmen of the colliery. The case of the management to the effect that there used to be only ankle deep water is thus supported not only by the evidence of MW 1 Mr. Sahajwani but also by other materials on record. So far as the question of loss of 20 to 25 per cent in earning is concerned there is absolutely no substance in the contention. The 11 wages sheets (collectively marked as Ext. M1) show that there was no loss. The alleged loss has not been proved by any reliable evidence. Mr. Mukherjee, appearing for the Colliery Mazdoor Sabha of India referred the synopsis of the wage-sheets which was filed by the management before this tribunal on 5th January, 1984 and argued that the number of tubs varied from 2.67 to 3.11 in between May, 1975 to January, 1980. He drew my attention to the evidence of the WW 3, Sri Ramchandra Ahir an underground loader who said in his chief that if there was no water he could have loaded 6 tubs. Sri Mukherjee pointed out that there was no specific cross-examination on that point and therefore his evidence on this point should

be believed, I do not agree. This witness seems to be a liar. In his very evidence in chief he said that "whenever they bent down to raise coal, their chin touched the water." This is not the case of any of the unions, Sri Roy himself said that the case of the union was that there was only keen deep water and not more than that. In cross-examination the witness could not say whether the pump was set about the ground, he could not say at what distance the pump was set up and although he has seen the pump he could not say the place where it had been set up. He also did not remember at what rate he used to draw money per tub at the relevant time. I disbelieve him. The contention of Sri Mukherjee is rejected.

4. Moreover, the question of the alleged loss is not very material in this case in view of my definite finding that the so called water problem is a normal feature of mining operation. Admittedly the erstwhile owners had refused to pay the difficulty allowance in spite of the representations of the Colliery Mazdoor Sabha. Sri Roy complained, all records had not been filed by the management and that only the records of 1976 and 1979 had been filed. Mr. Sahajwani (MW 1) has said in his evidence that the records being old, whatever they could trace had been filed and that it was very difficult to produce the comparative salary of the workmen prior to 1976. In my opinion, the point has no force. The issue in this case is a simple one, namely, whether difficulty allowance was payable in view of the prevailing water problem. Sri Roy has not pointed out any specific document which was relevant on this point. Furthermore the onus is on the union to prove its claim. It has miserably failed to do so. The point, thus, has no force.

5. Sri Roy next argued that neither Mr. Gautam the previous manager (present in court) nor the manager of Dhemo Colliery was examined by the management. The argument is without any substance. Section 17 opened and close in the time of manager Mr. Sahajwani. Hence it was not necessary to examine Mr. Gautam who was manager prior to 1977 or anybody else. The contention is rejected.

6. It was next contended that difficulty allowance was being paid in other collieries (i.e., Kali Pahari, Pat Mohna Dhenomoin). Reference was made to para 9 of the written statement of the Colliery Mazdoor Sabha and to the evidence of Mr. Sunil Sen. MW I has denied it. No one from any those collieries has been examined to prove it. There is no document to support, this assertion. This very allegation was raised by another union, namely, the Colliery Mazdoor Sabha of India in para 5 of the written statement which was ordered to be struck out by order dated 4th November, 1980 of the then Presiding Officer Sri R. Bhattacharya in the following words :

"Going through the petition of the Mazdoor Sabha received on 1-10-80, I find that although in Singareni Colliery, as stated by the Mazdoor Sabha, there was a system of paying of difficulty allowance but after the Mazumder's award, that has been abolished and as such there is no system of paying difficulty allowance in any colliery. The statement made in paragraph 5 of the written statement of the Union that difficulty allowance exists is clearly not correct as admitted by the Union itself and the said paragraph contains an incorrect and a mala-fide statement. In the circumstances, for ends of justice, the said paragraphs is hereby struck off."

On consideration of the above I am of the view that no difficulty allowances was being paid in any other collieries, namely, Kali Pahari, Patmohna and Dhemomoin. The contention is rejected.

7. Lastly Sri Roy for the Colliery Mazdoor Sabha submitted that benefit of doubt should go to the weaker section. But that can be done only if there is doubt. In the present case there is no doubt of any kind. So the submission is without substance. It is rejected.

8. Before I conclude, I may mention that there were five unions in the case but three of them have not filed any written statement and have not contested the case.

9. In the result I held that the demand of the underground loaders working in Pit No. 1 of the Girmint Colliery P.O. Pariharpur, in the district of Burdwan of the Eastern Coalfields Ltd. for payment of difficulty allowance on the ground of water problems is not justified. It follows that they are not entitled to any relief. This is my award. Let this award to set to the appropriate government as directed by section 15 of the Industrial Disputes Act, 1947.

Dated, Calcutta,

The 6th March, 1984

M.P. SINGH, Presiding Officer

[No. L-19011/2/78-D.IV(B)]

S.O. 1242.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad in the industrial dispute between the employers in relation to the management of Sripur Colliery of M/s. Eastern Coalfield Ltd., Post Office Kalipahari (Burdwan) and their workmen, which was received by the Central Government on the 21st March, 1984.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL-  
TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD

Reference No. 58/82

PARTIES:

Employers in relation to the management of Sripur Colliery, M/s. Eastern Coalfields Ltd., P.O. Kalipahari (Burdwan).

AND

Their workmen.

APPEARANCES:

For the Employers—Shri B. N. Lala, Advocate.

For the Workmen—None.

INDUSTRY: Coal.

STATE: West Bengal.

Dated, the 15th March, 1984

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them U/s. 10(1)(d) of the Industrial Disputes Act, 14 of 1947 has referred the dispute to this Tribunal for adjudication under Order No. L-19012(18)/82-D.IV(B) dated the 15th June, 1982.

SCHEDULE

Whether the action of the Agent, Sripur Colliery of M/s. Eastern Coalfields Ltd., P.O. Kalipahari, Dist. Burdwan was justified in placing Heavy Tyndals viz. S/Shri Nandlal Ahir and 27 others (list enclosed) in category IV like Tyndal? If not, to what relief the workmen are entitled and from what date?

LIST OF WORKMEN

The names of the Heavy Tyndals of Sripur Colliery.

1. Md. Moshin
2. Nandlal Ahir
3. Sk. Bhalil
4. Sk. Nizamat
5. Md. Hazim
6. Md. Izhar
7. Md. Suleman
8. Sk. Khazmir
9. Salmant Singh
10. Rashid Khan



11. Manohar Sutradhar
12. Budhan Bauri
13. Hari Teli
14. Inder Singh
15. Ratan Singh
16. Dahari Rajbhar
17. Beni Kurm
18. Harbansh Kurmi
19. Lalta Rajbhar
20. Roshan Ray
21. Roshan Nonja
22. Ramawatar Harijan
23. Sudama Harijan
24. Buleshwar Harijan
25. Prahlad Yadav
26. Patru Yadav
27. Kayum Mallick
28. Rajnath Bhar."

2. From the records it appears that the union is not keen to proceed with the case. After giving several adjournments for hearing of the case it was fixed for hearing on 17-1-84 on which date though the management was present but none appeared for the union and order for issue of registered notice by way of last change was passed. But in the meantime Sri S. K. Mazumdar Advocate for the workmen appeared in the Court at about 1 p.m. and prayed for time. He, however, noted the next date of hearing i.e. 9-2-84. But on 9-2-84 in spite of the fact that Sri Mazumdar, Advocate had noted the date of hearing the union did not appear, but a petition had been filed by him on the last date stating that 9-2-84 was not suiting to him. However, in the interest of justice the hearing of the case was adjourned to 14-3-84 and a fresh registered notice was again issued to the union directing them to come ready for hearing on the said date i.e. 14-3-84. But the union did not care to attend the Court or take any step.

3. It is thus clear that the union has got no interest and has not no dispute with the management.

4. In the circumstances a 'no dispute' award is passed.

J. N. SINGH, Presiding Officer.

[No. L-19012(18)/82-D.IV(B)]

New Delhi, the 26th March, 1984

S.O. 1243.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Calcutta in the industrial dispute between the employers in relation to the management of Sripur Colliery of M/s. Eastern Coalfields Ltd. and their workmen, which was received by the Central Government on the 21st March, 1984.

#### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 4 of 1981

#### PARTIES :

Employers in relation to the Management of Sripur Colliery of M/s. Eastern Coalfields Limited.

#### AND

Their workmen.

#### APPEARANCES :

On behalf of Employers—Mr. S. K. Gupta, Advocate with Mr. D. Gangopadhyay, Senior Personnel Officer.

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On behalf of Workmen—Mr. B. N. Sharma, Advocate.  
STATE : West Bengal. INDUSTRY : Coal Mines.

#### AWARD

By Order No. L-19012(34)/81-D.IV(B), dated 17th October, 1981 the Government of India, Ministry of Labour, referred the following dispute to this Tribunal for adjudication:

"Whether the action of the Agent, Sripur Colliery of M/s. Eastern Coalfields Limited, P.O. Kalipahari (Burdwan) in superannuating Sri Manick Chand Shaw, Peon with effect from 1-1-1977 is justified? If not, to what relief is the workman concerned entitled?"

2. On a perusal of the above it is clear that the real issue to be decided is as to what is the actual date of birth of Manick Chand Shaw for the purposes of his retirement. According to the Union his date of birth is 1st January, 1927 where as according to the management his date of birth is 1st January 1917. He was retired w.e.f. 1st April, 1971 (the date 1st January, 1977 seems to be a mistake). If he was born on 1st January 1917, then he was rightly retired. This is not disputed. But it has been vehemently contended on behalf of the Union that he was born on 1st January 1927, not on 1st January 1917. Each side has examined one witness. There is only one material document, namely, the school leaving certificate (Ext. W 1) filed by the Union in support of their case. The management has relied on B Form Register entry (Ext. M-2) and certain circumstances. After considering the evidence on record and the submissions of the parties I have no doubt in my mind that the case of the colliery management is correct and it has to be accepted. Ext. M-2 is the entry in B Form Register of the erstwhile management of the Lodhna Colliery Co. (1920) Ltd. showing that the date of birth of the concerned workman is 1st January, 1917. Manick Chand Shaw has signed this entry in the register. He has not come in the witness box to deny his signature or to state his age. If a person acquainted with the facts and circumstances of his case does not appear before a court, strongest adverse inference, I think, should be drawn against him. In this case, only one witness, D. C. Shaw, aged 23, namely, the son of the concerned workman has been examined to prove the school leaving certificate with enclosures (Ext. W-1) which mention the date of birth of Manick Chand Shaw as 1st January 1927. On the very face of it, this certificate is suspicious. From this certificate it seems that Manick Chand Shaw had been admitted in the school in 1937, left the school in 1945 and that he obtained the certificate on 5th April 1965 but he raised the dispute with the management after 10 years, that is in 1975 for correction of the date of birth. No competent person has produced the school certificate. No one from the school has been examined. To me it appears they managed to procure this certificate for the purposes of this case. It was not filed before the Conciliation Officer. The B Form Register mentions the age of Manick Chand Shaw as 1st January 1917 MW-1. Sri A N Bhattacharva who signed the relevant entry in B Form Register has said that the date in B form register was being furnished by the employee at the time of appointment. Not only that, even the identity card and pay card (not filed by the union) mention the date as 1st January 1917. I say so because it is admitted fact. In para 3 of the written statement it is admitted that the date of birth in the identity card, provident Fund and other service records is 1-1-1917. This is also clear from the enclosures attached to the school leaving certificate. This position is not disputed before me. It is for that reason that the identity card has not been filed by the union. It is the evidence of DC Shaw (W.W.-1) that the identity card and pay card bears the signature of his father because his father used to draw pay on the basis of the same. M.W.-1 Sri A. N. Bhattacharjee has also deposed that without the card and identity card no body can draw his salary, that the identity card bears the photograph of the worker and that they were with the concerned workman as he had not drawn gratuity and final payment.

3. Sri B N Sharma appearing for the Union has drawn my attention to an affidavit sworn by Manick Chand Shaw himself before a Magistrate at Asansol stating that his date of birth was 1-1-1927. In my opinion the affidavit is useless. It was sworn on 30th April 1977, that is after his retirement. It is nothing but an assertion by the concerned workman about his age. I do not rely upon it.

4. Mr. Sharma next drew my attention to the date of superannuation as written in Ext. M-2 of the B form register. It is 1-5-1977. He submits that Manick Chand was superannuated w.e.f. 1st April, 1977 and hence this date 1-5-1977 is a mistake and if that can be a mistake, the date of birth, that, January 1917 which is mentioned in B form register can also be a mistake. Suffice to say that the point has no force.

5. Mr. Sharma for the Unions also referred to the evidence of M W-1 to the effect that he had no evidence to show that the B Form register in question had been seized by the custodian at the time of nationalisation of the collieries. The contention is not of any use in this case. It is rejected.

6. Mr. Sharma next submitted that Manik Chand had been making representations in 1975, 1976 and 1977 to the management for correction of his age but the management paid no heed to the same. In my opinion Manick Chand Shaw is bound by the date of birth as mentioned in B form register and in his identity card which he signed. His representations cannot be made a ground for correcting his age. They only mean that he raised dispute by several letters. The argument is rejected.

7. Mr. Sharma, next relied on State of Orissa Vs. Dr. Miss Binapani Dei, AIR 1967 S. C. 1269 but that case has no application to the facts of the present case. In that case there were discrepancies in the date of birth of the lady doctor in the government record itself. She was not asked to explain the discrepancies. A preliminary enquiry was made and on that basis she was required to show cause as to why the date ascertained in the enquiry should not be accepted as her date of birth. That enquiry report had not been disclosed to her. It was held that natural justice was violated. The facts of the present case as already stated are entirely different.

8. In the result my concluded award is that the action of the Agent of Sripur Colliery of M/s. Eastern Coalfields Ltd., P.O. Kalipahari (Burdwan) in superannuating Sri Manick Chand Shaw with effect from first April, 1977 (1-1-1977 in the reference being a mistake) is justified. It follows that the concerned workman Manick Chand Shaw is not entitled to any relief.

Dated, Calcutta,  
9th March, 1984.

M. P. SINGH, Presiding Officer.  
[No. L-19012(34)/81-D.IV(B)]

New Delhi, the 27th March, 1984

S.O. 1244.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad in the industrial dispute between the employers in relation to the management of J. K. Ropeways of M/s. Eastern Coalfields Ltd., Post Office Kajorgram, Distt. Burdwan and their workmen, which was received by the Central Government on the 21st March, 1984.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD

Reference No. 31/82

#### PARTIES :

Employers in relation to the management of J. K. Ropeways of M/s. Eastern Coalfields Ltd., P.O. Kajorgram (Burdwan)

#### AND

Their workmen.

#### APPEARANCES :

For the Employers—Shri N. Das, Advocate.

For the Workmen—Shri N. Lajk, Advocate.

INDUSTRY : Coal.

STATE : West Bengal.

#### AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them U/s. 10(1)(d) of the Industrial Disputes Act, 14 of 1947 has referred the dispute to this Tribunal for adjudication under Order No. L-19012(85)/81-D.IV(B) dated 3-4-1982.

#### SCHEDULE

"Whether the action of the management of J. K. Ropeways of M/s. Eastern Coalfields Ltd., P.O. Kajorgram, Dist. Burdwan in not placing in grade 'G' with effect from 1-4-75 the workmen as mentioned in the annexure is justified? If not, to what relief they are entitled?"

#### ANNEXURE

1. Shri Ali Hossain
2. Shri Ramdhan Roy
3. Shri Baramoswar Ram
4. Shri Dooki Ram
5. Shri Ramkissan Das
6. Shri Shyam Narayan Yadav
7. Shri Hariroy Pasman
8. Shri Suba Yadav
9. Shri Parsuram Rajvar
10. Shri Sonalal Das
11. Shri R. R. Thapa
12. Shri Hanuman Pandey
13. Shri Ramkaji Bahadur
14. Shri Brijmandan Singh
15. Shri Jagdish Rajbhar
16. Shri Paramanand Singh
17. Shri Harikissum Yadav
18. Shri Bhuiya Bisai.

2. The case of the workmen is that they were previously employees of J. K. Ropeways under the Coal Board. The Coal Board was dissolved with effect from 1-4-1975 under the provisions of Coal Mines (Conservation and Development) Act, 1974 and from that date i.e. 1-4-75 the employees of the erstwhile Coal Board became employees of Coal Mines Authority Ltd., which is a Government Company, the name of which was subsequently changed as Coal India Ltd. The concerned workmen as also other employees of the Coal Board opted to the scale of pay under the Coal Wage Board recommendation, 1967 with effect from the said date.

3. It is then stated that the concerned workmen were designated as Chowkidars and the same designation was wrongfully continued by the management of J. K. Ropeways under Eastern Coalfields Ltd., which is a holding company under the Coal India Ltd. It is further stated that all other employees of J. K. Ropeways excepting the concerned workman received new pay scale of Wage Board as per job description with effect from 1-4-75. It is also the case of the concerned workmen that they have been doing the job of Night Guards as they are to watch during night hours for 12 days in a month and Night Guards are placed in Grade 'G' under the Coal Wage Board recommendation. But the management has wrongly designated them as Chowkidars and have placed them in Grade 'H' which is erroneous. It is submitted that the said action of the management is unjustified and the concerned workmen are entitled to be placed in Grade 'G' with effect from 1-4-75. It is therefore prayed that they should be placed in Grade 'G' with effect from 1-4-1975 and should be paid difference of wages from that date.

4. The management admits that the Coal Board was dissolved with effect from 1-4-75 under the provisions of Coal Mines (Conservation and Development) Act, 1974 and the concerned workmen along with all other employees of the erstwhile Coal Board became employees under the present management. It is stated by them that as per provisions of the said Act all the ex-employees of the Coal Board including the concerned workmen excepting Sl. No. 18 of the order of Reference became employees under the Coal Company and they became entitled to hold their office on the same terms and conditions until alteration of the terms and conditions of their service under the provisions of the said Act. The present management accordingly gave a revised offer of remuneration and terms and conditions of service to the concerned workmen and the concerned workmen excepting Sl. No. 18 gave their option accepting the terms and conditions offered by the present management and since then the concerned workmen except Sl. No. 18 has been working as Guards with designation as Chowkidar. As regards the workman mentioned in Sl. No. 18 it is stated that he came on transfer from Parasea Colliery on and from February, 1976 and he had already been placed in Grade G from before the date of transfer and as such he is continuing in the said grade since then. It is submitted that the concerned workmen gave their option to work as Chowkidar in Grade 'H' and hence they are working in Grade 'H' and are getting remuneration of that grade. It is, however, stated that in order to maintain the uniformity the concerned workman have been placed in Grade 'G' with effect from 1-4-79. According to the management as the concerned workmen gave their option for working in Grade 'H' hence they got pay scale of Grade 'H' prior to 1-4-79 and they are not entitled to Grade 'G' as claimed by them with effect from 1-4-75.

5. The point for consideration is as to whether the action of the management in not placing the concerned workmen in Grade 'G' with effect from 1-4-75 is justified. If not to what relief they are entitled.

6. From the pleadings of the parties it will appear that the concerned workman are claiming Grade G with effect from 1-4-75. It is admitted by WW-1 one of the concerned workmen that prior to 1-4-75 the concerned workmen were employees under the Coal Board. It is also admitted by him that they were initially appointed as Chowkidar. The Coal Board was, however, dissolved with effect from 1-4-75 under the provisions of Coal Mines (Conservation and Development) Act, 1974 and after that date all the employees under the Coal Board became employees under the Coal Mines Authority Ltd., now known as Coal India Ltd., and they began to serve under different subsidiaries of Coal India Ltd. The concerned workmen on the basis of the said Act became employees under the Eastern Coalfields Ltd., which is a subsidiary of Coal India Ltd.

7. It is provided in the said Act that the employees of Coal Board will be absorbed in Coal India on the same terms and conditions of service unless their service conditions are changed. It was also provided that they will be given option to opt either for the pay scale of the Wage Board recommendation or would like to remain in the pay scale of the Coal Board. The concerned workmen gave their option (Ext. M-1 series) in which they accepted the pay scale of Wage Board recommendation and as per said option they were given Grade H with effect from 1-4-75. The contention of the management is that as the concerned workmen gave their option and agreed to work in Grade H, they cannot now claim the wages of Grade G or claim any higher grade. The Coal Wage Board recommendation Vol. I at page 172 has given different grades of Watch and Ward Staff. From this chart it will appear that a night Watchman has been given Grade G while Watchman, Peon, Chowkidar and Chaprasi have been given Grade H. These grades are the minimum grades in which they were to be put after this Wage Board recommendation of 1967. The case of the workmen is that they were designated as Chowkidars but they are all along doing the work of a Night Guard and they have got duty during night hours for more than 12 days in a month and according to them this will also appear from the duty chart which is prepared by the management. They have also filed Ext. W-1 series which are the duty charts of Security Guards which would indicate that they were given night duty for more

than 12 days in a month, but these registers are for the subsequent period. The workmen had called for the duty register for the year 1975 and onwards but they have not been filed for reasons best known to the management.

8. MW-1 Sri M. K. Ekta who is the Asstt. Security Officer in J. K. Ropeways under whom the concerned workmen are working has stated that the present designation of the concerned workmen is of Security Guard and prior to giving of this designation they were known as Darwans or Chowkidars and their duty is shiftwise. In paragraph 7 of his cross-examination he has admitted that a register is maintained showing allocation of duties to the concerned workmen and that register will show the places of duty and time of duty but they have not been filed. No reason has been assigned as to why the said register which was very important document has not been filed by the management. The register would have shown whether the concerned workman were allotted night duty for more than 12 days in a month. Rather MW-1 has admitted in his very chief that due to shortage of Security Guards he has not been able to provide shift duty to them and most of them are given night duty. He has further admitted in paragraph 4 of his chief that some Guards are given night duty for 15 or 20 days in a month. Thus it is admitted by him that the concerned workman, due to shortage of hands, are given night duty for more than 12 days in a month. Ext. M-2 is a letter issued by the Dy. Chief Security Officer, Eastern Coalfields Ltd., dated 10-11-76 in which the categorisation of Security Guards have been given and extract of a letter from the Addl. Chief Personnel Officer was sent to all General Managers, Sub-Area Managers and Area Security Officers for information and necessary implementation. The extract of the letter reads as follows:

"Please note that the Security Guards in Grade 'H' who have been confirmed in their posts after completion of their probationary period and have been performing night duty for more than 10 days a month may be put in Grade 'G' in the scale of pay of Rs. 285-7-50-360 per month with immediate effect. Fixation of their pay in Grade 'G' should be made by the Area Finance Manager concerned."

On the basis of this letter Ext. M-3 dated 22-12-77 the Security Guard were given Grade G in Bankola Area of Eastern Coalfields. It has been urged on behalf of the management that though the Coal Wage Board recommendation prescribed Grade G for Security Guards who work for more than 10 days in a month during night were to be given Grade G, but this was implemented by the management as late as in 1976 and in other collieries also this implementation was made in different years and so the concerned workman cannot get Grade G with effect from 1-4-75 and further they have already been given Grade G with effect from 1-4-79. The management in paragraph 10 of their written statement has admitted that Grade G was given from 1-4-79 to maintain uniformity. But simply because the management gave Grade H in 1976 or 1977 is no ground for the contention of the management that the concerned workman are entitled to Grade G from 1-4-75. It is not denied that the Wage Board recommendation which came into force in 1967 has been implemented by all the collieries and they were bound to implement the same. A workman is to be given different grades according to the job performed by him. In this particular case there is definite evidence of the workmen which is also supported by MW-1 that the concerned workmen are doing night duty for more than 10 days in a month and in that view of the matter as per Coal Wage Board recommendation as also letter of the management Ext M-2 they are entitled to be placed in Grade G and get wages of that grade. Simply because the concerned workmen gave their option by Ext M-1 series is no bar for them not to claim Grade G if they are performing the job of that grade. In fact the management has also given them Grade G with effect from 1st April, 1979. But as per job performance the concerned workmen are entitled to Grade G with effect from 1st April, 1975.

9. Considering the entire evidence and facts and circumstances of the case, I hold that the action of the management in not placing the concerned workmen in Grade G with effect from 1st April, 1975 is unjustified and they are entitled

to get Grade G and difference of wages with effect from that dated till 31st March, 1979.

10. It may, however, be mentioned that according to the management the workmen mentioned in Sl. No. 18 of the order of Reference has come to this colliery on transfer and he is already in Grade G. In that view of the matter the said workman will get difference of wages of Grade G only for the period when he was in Grade H in between 1st April, 1975 till 1st April, 1979.

11. To sum up I hold that the concerned workmen are entitled to get Grade G as also difference of wages for the period mentioned above.

12. The award is passed accordingly.

J. N. SINGH, Presiding Officer

[No. L-19012(34)/81-D.IV(B)]

New Delhi, the 29th March, 1984

S.O. 1245.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Chandigarh in the industrial dispute between the employers in relation to the management of Food Corporation of India, Punjab Region and their workmen, which was received by the Central Government on the 22nd March, 1984.

BEFORE SHRI I. P. VASISHTH, PRESIDING OFFICER,  
CENTRAL GOVT. INDUSTRIAL TRIBUNAL,  
CHANDIGARH

Case No. I.D. 8/84

PARTIES :

Employers in relation to the management of Food Corporation of India Punjab Region, Chandigarh.

AND

Their Workmen.

S/Shri Rattan Chand and Jaswant Singh.

APPEARANCES :

For the Employers.—Shri Tirath Singh.

For the Workmen.—Shri P. K. Singla.

Food Corporation of India.

STATE-Punjab.

AWARD

Dated, the 15th of March, 1984.

The Central Govt., Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the Industrial Disputes Act 1947, vide their Order No. L-42012-(33)/83-D.II.B/D.IV(B) dated the 15th of February 1984 referred the following Industrial dispute to this Tribunal for adjudication :

"Whether the action of the management of FCI in relation to their Punjab Region in refusing promotion to S/Shri Rattan Chand and Jaswant Singh, Watchman/Messengers to the post of Dusting Operator/Head Watchman is justified ? If not, to what relief are the two workmen entitled ?"

2. Today when the case came up for hearing the parties reported a private settlement disclosing "Inter-alia" that the management have been fair enough to concede the demand of the petitioner/Workmen and have since promoted both of them, thus eliminating the dispute altogether.

3. Accordingly, on taking down the statement of the Workmen's representative alongwith the affirmative endorse-

ment of the management's representative I, hereby, return a No dispute Award.

Chandigarh.

15-3-1984.

I. P. VASISHTH, Presiding Officer.

[No. L-42012/33/83-D.II(B)/D.IV(B)/D.V]

C. D. BHARDWAJ, Desk Officer

New Delhi, the 22nd March, 1984

S.O. 1246.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. II, Bombay in the industrial dispute between the employers in relation to the Canara Bank Bombay and their workmen, which was received by the Central Government on the 19th March 1984.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL NO. 2, BOMBAY

Reference No. CGIT-2/19 of 1982

PARTIES :

Employer in relation to the Management of Canara Bank.

AND

Their Workmen

APPEARANCES :

For the Employers.—Shri P. Ramaswami, Advocate.

For the workmen.—1. Shri Madan Phadnis, Advocate for Canara Bank Staff Union. 2. Shri Devidas Pai for Canara Bank Workers' Union, 3. Shri J. G. Gadkari for Canara Bank Employees' Union 4. Federation of Canara Bank Employees' Congress (No appearance).

INDUSTRY : Banking.

STATE : Maharashtra.

Bombay, the 1st March, 1984

AWARD

By their order No. L-12012(189)/81-D. II(A) dated 12th March, 1982 the following dispute has been referred for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 :—

"Whether the action of the management of Canara Bank in raising the limit to Rs. 15,000 for passing of cheques independently by Special Assistant and effecting alternations/additions to their duties and responsibilities with effect from 11-6-1980 is proper and justified ? If not, to what relief are the said workman entitled ?"

2. The dispute as it stands is between the Canara Bank, a nationalised Bank and three of the unions. In the arena besides Canara Bank there are in all four Union known as Canara Bank Staff Union who is the main contesting Union, Canara Bank Employees Union who is supporting the case of the Bank, Canara Bank Workers' Union and lastly Federation of Canara Bank Employees Congress, the last named two are also contesting unions.

3. At Ex. 2/W(1) we find the statement of claim filed by the Canara Bank Staff Union running into 34 typed pages and after narrating the history to which a reference would be shortly made the averment or the contention appears to be that when the first Bipartite Settlement of the year 1966 fixed the limit for passing instruments by the Special Assistants at Rs. 5000, the Bank unauthorisedly and illegally raised the said limit to Rs. 15,000 that too it is alleged unilaterally. After citing the events and narrating the history to which a reference would be made in the course of body of judgement it is contended that the interpretation put by the Bank on the relevant clause of the Bipartite Settlement for the purpose of enhancing the limit is wrong, that the Bank never had any discretion in this regard and that without following the process of law or without giving notice as required under Section 9A of the Industrial Disputes Act the Bank brought about the change which be declared to be illegal and therefore not binding. The Staff Union also contends that any agreement or understanding arrived at between the Bank on one side and the Employees' Union on the other having no force of a settlement under Section 2(p) of the Industrial Disputes Act and since it is not falling under Section 18(3) of the same Act is devoid of any force and therefore the terms of the said understanding or agreement cannot bind the employees who were not the members of the Employees' Union. In this way the canons are directed against the increase of the limit from Rs. 5000 to Rs. 15,000 and therefore the request to declare the same to be illegal and unjustified.

4. Before we advert to the Bank's written statement it would be also convenient to refer to the plea of the second contesting Union i.e. the Canara Bank Workers Union which is on record at Ex. 20/W. This Union has adopted the various contentions raised by the Contesting Union i.e. the Canara Staff Union and also contended that raising the limit to Rs. 15,000 for passing of cheques etc. is illegal and unjustified. This Union also contends that the Canara Bank Employees' Union which as already seen supports the Bank, because the Bank advanced a loan of Rs. 4 lacs to the said Union, under obligation entered into the alleged understanding.

5. At Ex. 28/W(iv) there is the written statement filed by the Federation of Canara Bank Employees' Congress who again has objected to the alteration alleged to be in the service conditions by enhancing the limit to Rs. 15,000.

6. Having noted the pleas of the three contesting Unions let us advert to the written statement filed by the Bank in support of their action at Ex. 4/M. Briefly stated the contention of the Bank in regard to raising of limit is that the alleged alteration in the limit in no way alters the conditions of service and as such is in no way any additional burden. It is further contended that the raising of the limit from Rs. 5000 to Rs. 15,000 is perfectly within the discretion of the Bank as conferred by the first Bipartite Settlement and that although no discussion were essential for carrying out the change in this regard by way of precaution the same was done and since the Union, which according to the Management is a recognised Union and who it is alleged has a right of representation on the Board of Directors, and who on assessing the opinion of employees interviewed by them having agreed to the change on mutual discussions, the same was effected and therefore is not open to any challenge.

7. It may be mentioned here that during the pendency of the proceedings having noticed that the Bank has pleaded that the change was effected in pursuance of the understanding arrived at with the Canara Bank Employees' Union, although initially the said Union was not a party to the proceeding was ordered to be summoned by order dated 3-3-1983 Ex. 25 and record speaks that though attempt was made to challenge the said order by the Canara Bank Employees' Union, the said challenge failed and ultimately they have filed written statement at Ex. 30/W (iii) fully supporting the action of the Bank. It is alleged that on having assessed the views of various employees serving in the Bank, a committee was formed for the said purpose who made report and accordingly an agreement was arrived at whereby

the limit was decided to be raised. The Employees Union states that the other unions have no locus-standi to raise the dispute on behalf of the workmen. It is further contended that the same was raised out of ill-will and for the purpose of causing obstruction in the smooth working of the Bank.

8. On the above pleadings, the following issues arise for determination and my findings are :—

Issues	Findings
1. Whether the agreement reached between the Canara Bank on one side and the Canara Bank Employees' Union, stated to be a recognised Union is fair and reasonable ?	Yes
2. If yes whether the said agreement is binding on all the employees ?	As agreement only on members of the Canara Bank Employees' Union.
3. If not whether the action of the management in raising the limit to Rs. 15,000/- in passing of cheque independently by Special Assistant amounts to a change in service condition ?	No.
4. If yes whether the procedure required under Section 9A of the Act has been validly effected.	Not necessary.
5. If not whether the said change has been validly effected.	Yes.
6. Whether once the Bank having used its discretion and having fixed the limit whether they can again enlarge the said limit ?	Yes.
7. Whether the action of the Bank is proper, valid and legal ?	Yes.
8. What award ?	As per award.

#### REASONS

9. Even though when we go through the entire statement of claim filed by the Canara Bank Staff Union, the objection to the action of the Bank is against the alleged raising of the limit, last minute attempt was made on behalf of Workers' Union to urge that not only the Bank imposed additional burden by raising the limit of passing cheque on Special Assistants but has also increased the work-load and therefore the attempt was made for giving thought to that question also. For the said purpose my attention was drawn to the duties of the Special Assistant as laid down in the first Bipartite settlement of the year 1966 and comparison was made with the duties as laid down in the Memorandum of understanding and Shri Pai representing the Workers' Union tried to plead that additional duties and responsibilities have been cast amounting to alteration or additions to the duties and responsibilities which must also be struck down besides the question of monetary limit. In this connection it is material to note that although there are some averments to this effect in the written statement filed by the Workers' Union, never any issue or issues were sought on this ground, no evidence has been adduced by any party in this regard and therefore the last minute attempt to bring something besides the monetary limit must fail. There must be some evidence which indicates that the Bank in their circular in the year 1980 cast additional duties and responsibilities which is wanting and comparison or arithmetical calculations regarding the serial numbers may not be a guide because the matters can be by way of elucidation in which case numerical number is bound to augment. In the absence of any

issue therefore in the absence of any other evidence in this regard I shall concentrate on the question of validity or other-wise of the raising of the limit only.

10. The Canara Bank is a nationalised Bank governed by Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 which replaced the earlier ordinance of the year 1969. Now because the various banks which were initially in the private sector for the first time were placed in the Public Sector and because the employees serving in various banking institutions which came to be nationalised had different service conditions, a dispute was referred for adjudication which ultimately culminated in what is known as Sastry Award, when the Tribunal in Chapter X dealt with the question of Special Allowance, the question of categories of employees eligible to claim the same was also discussed and accordingly gave directions. For justifying the grant of Special Allowance it was observed that there are certain categories of posts for which an incumbent requires special qualification or skill for the efficient discharge of duties and it is necessary by way of recognition of and compensation for this skill or responsibility accordingly provision for Special Allowance was made. We are not much concerned in the instant case with the quantum of allowance which now admittedly has risen to Rs. 283 per month. The views observed or expressed in the earlier award known as Sastry Award were reiterated in para. 5.220 in the second award known as Desai Award. When an attempt was made on this second occasion for standardisation of duties etc. it was however observed that such standardisation would not fall within the ambit of the terms of reference as such was not considered or adjudicated upon.

11. Although the post of Special Assistant carries special allowance of Rs. 283 besides his usual wages, it is a peculiar post in the sense that the Special Assistant who belong to clerical staff retain the character of workmen though might draw salary, if not more, equal or almost equal to the junior executives. However as seen from the two awards the Special allowance was considered for the purpose of compensating the special responsibility expected of this category of workers.

12. For the first time at the time of Bipartite settlement of the year 1966 the duties were formulated and besides other duties which are not concerned it was laid down that their duties involve :—

“(i) Passing independently Cash, Clearing and Transfer Cheques’ vouchers, etc. (whether credits or debits) upto and including Rs. 5,000 (or any higher limit fixed by the Bank in its own discretion). Passing will include verification of signatures and scrutiny as to the correctness of endorsements on and other particulars of such instruments.”

The words in this clause “passing independently.....upto and including Rs. 5000 (or any higher limit fixed by the Bank in its own discretion)” have led to the present controversy. When the Bank pleads and claim that there is discretion vested in them to rise the limit above Rs. 5,000, in their attempt to contest this right, two interpretations have been advanced one by the Staff Union and the other by the Workers’ Union. On behalf of the Staff Union, who as already stated is the main contesting party it is alleged that the clause in the bracket is in fact a supporting clause and does not derogate in any way the main words upto and including Rs. 5000 and did not give discretion to the Bank to increase the limit. Shri Phadnis, on behalf of the Staff Union argued that in fact it is a saving clause namely to regularise the action of any bank which might have by that time or earlier fixed higher limit, and therefore the Banks who have not so done cannot fall back upon clause (i) in their attempt to expand the limit. Shri Phadnis therefore wants me to read “upto and including Rs. 5000” save in the case of those who have fixed higher limit.

13. Normally there should not be any conflict between two contesting unions whose aim is the same. However Shri Pai, representative of the Workers’ Union conceded that “or any higher limit fixed by the Bank in its own discretion” though refers to future action and not of past, but he pleads that if any Bank once exercised its discretion in fixing the limit at Rs. 5000 as has been done by the Canara Bank

in 1966, the right or the discretion shall be deemed to be exhausted and thereafter no such right shall be available to such a Bank. It is therefore urged on behalf of the Workers’ Union that since in October, 1966 by circular issued by the Board of Directors of Canara Bank the limit was fixed at Rs. 5000 subsequently the Bank cannot raise the limit unless they follow the process of law.

14. The whole controversy as the facts stand would therefore revolve on the interpretation of the clause in the Bipartite Settlement. At the same time it may be mentioned here that although in the statement of claim there is reference to Section 9A of the Industrial Disputes Act and insistence upon the notice of change, it was conceded by Shri Phadnis that the action of the Bank and the subject matter thereof do not fall in any manner within the ambit of Fourth Schedule of the Act and if this position is conceded there remains no necessity of notice of change under Section 9A of the Act. As relevant provision stands no employer can effect any change in the conditions of service specified in Fourth Schedule unless the formalities prescribed have been complied with. If Fourth Schedule is not attracted, if the proposed change is not governed by the various clauses mentioned therein, the argument that no change could have effected without following the procedure cannot carry any force and therefore must fail. Reverting to the clause “or any higher limit fixed by the Bank in its own discretion”, the question is question is whether the interpretation as tried to be put on behalf of the Staff Union is acceptable? In support of the interpretation, some extraneous circumstances were tried to be placed reliance on but such course only would be open when there is any doubt about the interpretation. If there is no doubt then the conduct of the parties whether previous or subsequent to the coming to the agreement would not be relevant. The foremost point of importance therefore is does the clause create any doubt in the mind in interpreting the same?

15. Before the Bipartite Settlement right from nationalisation of the Bank there was no limit placed on the passing of the cheque by the Special Assistants though comparatively the allowance was very meagre. It was for the first time that too after long discussions between the Indian Banks Association on one hand and Federations of Bank Employees Unions on the other that such a limit of Rs. 5000 came to be placed. When any limit or extent of limit was considered, the inference can be that some Banks who might have fixed below Rs. 5000 by then were to be omitted from the operation of the clause. In the case of unlimited right, the limit was Rs. 5000. What was then the need to exclude those Banks who might have fixed above Rs. 5000 and to exhaust the right in this regard. Normally such saving clause if there be any is found necessary when the limit which might have been fixed by the Bank who were to be excluded was lower than the limit agreed upon. In that case to avoid happening of upgrading the limit, saving clause becomes necessary. When such is not the case, when nobody says that this limit in any Bank was lower than Rs. 5000, and when there is proof that the Banks agreed to fix the limit at a particular level, the interpretation tried to be put becomes unacceptable. Furthermore care would have been taken to see that the words defined the meaning which the parties to the agreement had in their mind. Therefore what is being urged on behalf of the Staff Union that the clause in bracket was supporting clause or that operated as a saving clause to those banks who had already fixed higher limit becomes unacceptable.

16. As already indicated, the Workers’ Union which is also a Union in the field and though in minority is very much interested in contesting the right of the Bank, looks on this clause from a different angle. Shri Pai representing the said Union admitted that under the relevant clause the Bank had discretion to fix the higher limit but his contention is that once the Bank used the discretion by fixing the limit at Rs. 5000, now no longer the Bank has got any further discretion in the matter. The clause speaks of limit of Rs. 5000 and there was therefore no necessity of using the word discretion in fixing the limit which was already fixed exhausting the option as indicated by the Workers’

Union. When the clause speaks of the limit of Rs. 5000, merely repeating the terms of clause can not be said to be the user of discretion, and if the argument of Shri Pai is accepted and the interpretation put by him, the Bank still will have the right to use the discretion.

17. "Or any higher limit fixed by the Bank in its discretion" must have been added to render the limit flexible and to avoid rigidity in this regard. It cannot mean that Bank who adopted Rs. 5000 is dis-entitled to fix the limit subsequently but a plain reading of the clause conferred the right or the discretion on the Bank governed by the Bipartite settlement to increase the limit if it so found necessary.

18. Once we arrive at this conclusion, then in the absence of any contention of mala fide user of the discretion the action taken by the Bank must prevail. Once we further find that there is no doubt about the interpretation to be put on the relevant clause, extraneous circumstance as tried to be relied upon especially the attempt of the Banks to approach the arbitrator will have no relevance. By bringing on record annexure B to the statement of claim indicating that the Indian Banks Association of which the Canara Bank is one of the members, had tried to refer the dispute regarding duties and responsibilities of clerical cadre whereby the Indian Banks Association moved for enlarging the duties and responsibilities of clerical staff drawing allowance with or without increase in respective allowance, it was urged that if there existed discretion in the Bank to increase the limit there was absolutely no necessity for the Banks' Association to seek arbitration award. It is common knowledge that even if the action is perfectly legitimate, often practical approach becomes necessary, to avoid resentment, to avoid litigation, to avoid waste of energy etc. If therefore the Indian Banks' Association then thought it necessary to obtain award of the Arbitrator or if they thought it necessary to consult the Union and obtain the Union's consent and only move after expression of their views, it does not mean that they had any doubts in their mind or that there should be any doubt about the interpretation of the clause or that these events justify the interpretation which is tried to be put on the relevant clause by the Staff Union. As already stated, when it is found that objections are likely to be raised from various corners, even for doing a legal act practical solution is the best solution because in that case it leaves no ground for any grievances. In my view therefore the attempt to obtain the Arbitrator's award in which attempt the Indian Banks Association failed, does not lead to any inference as tried to be drawn by the Staff Union. Might be by way of abundant pre-caution the Indian Banks' Association thought it necessary to move in a particular manner but from this alone when we can not delve into the mind of Indian Banks Association, we cannot jump to the conclusion to which the Staff Union wants me to arrive at.

19. It is already stated that no party has attributed mala fides to the Bank's action although in the statement of claim of the Staff Union at one stage there is a reference to the word mala fide etc. This however as seen from claim statement, for want of particulars has become user of the word for users sake and without purpose for the same. Consequently when the discretion is vested in the Bank, when it was perfectly within their legal ambit to increase the limit, there was no need for the Bank to consult any of the employees, but they had consulted and this fortifies their action. Record speaks that the Employees Union atleast so far as the Bank is concerned, is a recognised Union, record also speaks that the said Union has got representative on the Board of Directors on behalf of the Union. An attempt was made to suggest that the Employees' Union who was under obligation relented and agreed to a particular action. This Union is also alleged to be not the majority Union but without going to that question which in my view is not necessary, the fact remains that the Employees' Union is a recognised Union since long, that under Banking Companies (Acquisition and Transfer of Undertakings) Act one representative of the employees is nominated on the Board of Directors which right would not have been without proof of large following and therefore if any action is undertaken in consultation with the said Union, that shows the reasonableness and fairness of the action.

20. It was then urged on behalf of the Staff Union that when the Bipartite Settlement prescribed the limit of Rs. 3000, when the Bipartite Settlement was arrived at in pursuance of discussions between Indian Banks' Association on one hand and the Federation of the Union on the other any act committed by the Bank in consultation with one of the Unions in the field since additional responsibilities are involved must be held to be discriminatory and therefore must be struck down. No addition in the quantum of allowance has been contemplated, yet no addition in the working hours at any time referred to and what has been done is imposition of additional duties. Being in the organised Sector the Bank Employees have succeeded in securing monetary advantages to which nobody can grudge but when as compared to other citizens of India particularly when major section of the population lives below poverty line, these employees earning something substantial are expected to shoulder additional responsibilities and if therefore a Union thinking rightly agreed and consented the action of the management in raising the limit, there cannot have any question of discrimination nor any question of striking down of the action on this count.

21. Though the Bank has entered into the understanding with the Employees' Union, the agreement arrived at, it was conceded had never achieved the status of a settlement under Section 2(p) of the Industrial Disputes Act so as to bind not only the members of the Employees Union but all, but at the same time in the circumstances of the case the same is found to be fair and reasonable, yet had the same remained at the stage of agreement it would have bound only the members of the Employees Union and nobody else.

22. It is not that it is only the Canara Bank which has increased the limit but the record speaks that there are other Banks such as Syndicate Bank and Allahabad Bank who have also moved in this direction. Having regard to all these facts of the case therefore and having regard to the fact that the right or discretion is even accepted by one of the hotly contested Union and other circumstances already discussed I am convinced that the action of the Bank in raising the limit to Rs. 15,000 is perfectly legitimate and having regard to the inflation and the resultant fall in the price of Rupee value the same is also proper and justified.

23. Shri Pai on behalf of the Workers' Union and Shri Naik on behalf of the Staff Union for the purpose of placing the facts before the Tribunal attended the dates and requested that they be granted special leave. Shri Ramaswamy on behalf of the Bank agreed to consider the same.

Award accordingly.

No order as to costs.

M. A. DESHPANDE, Presiding Officer  
[No. L-12012/189/87-D.II(A)]

New Delhi, the 27th March, 1984

S.O. 1247.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Chandigarh in the industrial dispute between the employers in relation to the State Bank of India, Ludhiana, and their workmen, which was received by the Central Government on the 20th March, 1984.

BEFORE SHRI I. P. VASISHTH, PRESIDING OFFICER,  
CENTRAL GOVT., INDUSTRIAL TRIBUNAL,  
CHANDIGARH

Case No. I.D. 70/1979 (N. Delhi.) 59 of 1983 (CHD)  
PARTIES :

Employers in relation to the management of State Bank of India Chandigarh.

AND

Their Workman—K. P. Gajri

APPEARANCES :

For the Employers—Shri V. K. Gupta

For the Workman—Workman in person with Shri J. G. Verma.



STATE : Punjab.

INDUSTRY : State Bank of India.

## AWARD

Dated the 12th of March, 1984

The Central Govt., Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the Industrial Disputes Act 1947, vide their order No. L-17012/14/79.D.II-A, dated the 18th December, 1979 read with S.O. No. S-11025(2)/83 dated the 8th of June 1983 referred the following Industrial dispute to this Tribunal for adjudication:

"Whether the action of the management of State Bank of India, Region—1, Chief Regional Manager Office, Sector-17, Chandigarh in terminating the services of Shri K. P. Gajri, Clerk at Kesar Ganj, Ludhiana Branch of the Bank with effect from the close of the business on 14-1-78 is justified? If not, to what relief is the workman concerned entitled?"

2. Today when the case came up for hearing, the parties reported a compromise and filed the settlement Ex. C1. Their statements have also been taken down on the Tribunal's record.

3. On perusing the entire available data and hearing the parties, I feel satisfied about the propriety of the 'Settlement' whose conditions are fair to both of them and in particular to the Workmen since in full and final satisfaction of his claim be stands ensured of a lump-sum payment of Rs. Two lakhs which, of course, also includes his back wages and other monetary benefits which usually go with an ordinary retrenchment. More over the termination of his services would be deemed to be a bilateral act casting no aspersion or stigma meaning thereby that he can legitimately try his luck for any alternative opening in life and start with a clean slate.

4. I, accordingly, approve the Settlement Ex. C1 and return a No-dispute Award with the direction that it shall be deemed to be a part thereof.

Chandigarh  
12-3-1984.

I. P. VASISHTH, Presiding Officer.  
[No. L-12012/14/79-D.II(A)]

BEFORE THE PRESIDING OFFICER, CENTRAL INDUSTRIAL TRIBUNAL AT CHANDIGARH

I.D. No. 59 of 1983

In the matter of : K. P. Gajri Vs. S.B.I., Chandigarh

APPLICATION FOR ANSWERING THE REFERENCE AS PREFERRED TO HEREINAFTER :

Respectively showeth :

(i) That an industrial dispute raised by State Bank of India, Staff Association, New Delhi and now SBI Staff Association, Chandigarh with regard to the above workman, Sh. K. P. Gajri, which is pending before this hon'ble Tribunal, challenging inter alia the dismissal of the workman on the various grounds including non compliance of Section 25F of the Industrial Dispute Act, 1947.

(ii) That the union representing the workman and the employer have been negotiating from time to time with regard to this matter and at one stage on the intervention of the Regional Labour Commissioner (Central) Chandigarh, this matter was again discussed at State Bank of India, Local Head Office, Chandigarh on 9-11-1983 wherein the parties were persuaded by the Regional Labour Commissioner to settle the dispute.

(iii) That keeping in view the peculiar facts and circumstances of this matter and with a view to put an end to the entire controversy and further to avoid protracted litigation and to maintain industrial peace and harmony, the parties, hereby agree to resolve/settle the dispute in toto on the following terms:

The terms of Settlement are as under :—

- (1) That the workman would be deemed to be in the service of the Bank upto 31-12-1983 and w.e.f. 31-12-83 (afternoon), his services from the Bank shall be deemed to have been terminated for all intents and purposes and as such shall not be entitled for re-instatement and/or re-employment in the Bank's services at any stage in future.
- (2) That the State Bank of India shall pay to Sh. K. P. Gajri workman full back wages, increments, leave wages, bonus, gratuity, Provident Fund Contributions (both Employees' and Employers') and retrenchment compensation as contemplated by Section 25F of Industrial Disputes Act etc. etc., all inclusive to the maximum limit of Rs. 2.00 lacs only.
- (3) That the payment of Rs. 2.00 lacs only all inclusive as aforesaid would be made within a period of two weeks after this settlement is accepted by the Tribunal and the claim of the workman is awarded in terms of this settlement.
- (4) That this settlement would put an end to all claims raised in this industrial dispute as well.
- (5) That this settlement has been arrived at keeping in view of the peculiar facts and circumstances of the case and the union representing the workman will not be entitled to refer this settlement as precedent for any other dispute.

It is, therefore, prayed that the reference may be answered/disposed of as stated in the body of this application and in accordance with the terms of settlement herein referred above.

For and on behalf of the workman

For and on behalf of the  
Management.

1. J. G. Verma  
Dy. General Secretary  
State Bank of India  
Staff Association  
Chandigarh

2. K. P. Gajri  
Workman Concerned

V. K. GUPTA  
Asstt. Law Officer.

New Delhi, the 29th March, 1984

S.O. 1248.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal New Delhi in the industrial dispute between the employers in relation to the State Bank of India Hissar and their workmen, which was received by the Central Government on the 22nd March, 1984.

BEFORE SHRI O. P. SINGLA : PRESIDING OFFICER :  
CENTRAL GOVT. INDUSTRIAL TRIBUNAL,  
NEW DELHI

I.D. No. 201/77

In the matter of dispute between

Shri L. R. Katyal,  
The General Secretary,  
State Bank of India Staff Association,  
New Delhi.

Vs.

The Regional Manager,  
Region V,  
State Bank of India,  
11, Parliament Street,  
New Delhi.



**PRESENT :**

Sh. J. G. Verma—with the workman.

Sh. H. C. Dhall—with Sh. V. K. Gupta for Management

**AWARD**

The Central Government, Ministry of Labour, vide order No. L-12012/33/77-D.II(A) dated 7th November, 1977 referred the following dispute to this Tribunal for adjudication :—

“Whether the action of the management of State Bank of India, Region V in discharging from service of Shri L. R. Katyal, Official-in-charge, Agroha Sub-Office under Hissar Branch of the Bank is legal and justified? If not, to what relief is the workman entitled?”

2. The matter has been amicably settled between the workman through his Union State Bank of India Staff Association and the Management of State Bank of India. The terms of settlement are as under :—

1. The management shall pay 50 per cent of the back wages to Sh. L. R. Katyal the workman from the date of discharge i.e. 3-9-1976 till he attained the age of 58 years (as per the date of birth recorded with the bank) which date shall be treated as the date of superannuation and retirement from the Bank's service.

2. The management shall pay to the workman back wages as aforesaid, Gratuity as per Service Rules and Encashment of accumulated leave standing to his credit upto the date of discharge i.e. 2-9-1976, as early as possible but not later than 30th September, 1984.

3. The Management shall pay to the workman the balance standing to his credit in his Provident Fund Account including the Bank's contribution upto the age of 58 years, immediately after the approval in this regard, is received from the Central Office, Bombay.

4. The workman hereby undertakes that he shall not file any claim/prefer any claim against the Bank i.e. management in any manner except what has been stated above.

5. The management shall pay to the workman the monthly pension/arrears of pension from the date of Superannuation to the date of receipt of approval from Central Office, Bombay.

6. The settlement has been arrived at keeping in view the peculiar facts and circumstances of the case and the union representing the workman will not be entitled to refer this case as a precedent for any other dispute on any grounds.

The settlement appears to be free and fair and is accepted as full settlement of the dispute referred to this Tribunal and a award is made in terms of the settlement recorded above. There shall be no order as to costs of this reference.

Further ordered that the requisite number of copies of this award be forwarded to the Central Govt. for necessary action at their end.

Dated : March 14, 1984.

O. P. SINGLA, Presiding Officer  
[No. L-12012/33/77-D.II(A)]

New Delhi, the 28th March, 1984

S.O. 1249.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur in the Industrial Dispute between the employers in relation to the State Bank of India, Nagpur and their workmen, which was referred by the Central Government on the 22nd March, 1984.

1627 GI/83—7

BEFORE SHRI K. K. DUBE, PRESIDING OFFICER,  
CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-  
LABOUR COURT, JABALPUR

Case No. CGIT/LC(R)(37) of 1983

**PARTIES :**

Employers in relation to the Management of State Bank of India, Nagpur (M.S.) and their workman Shri Narayan Vithobaji Natkar.

**APPEARANCES :**

Shri G. G. Modak, Advocate—for the Bank.

Shri N. V. Nadkar, Advocate—for the workman

INDUSTRY : Banking DISTRICT : Nagpur (M.S.)

**AWARD**

Dated, March 12, 1984

The Central Government in exercise of its powers under section 10 of the Industrial Disputes Act, 1947 (Act No. 14 of 1947), referred the following dispute for adjudication, vide notification No. L-12012/271-82.D.II(A) dated 28-6-1983 :—

“Whether the action of the management of the State Bank of India in relation to its Ramtek Branch under control of Regional Manager, Region II, Nagpur in terminating the services of Shri Narayan Vithobaji Natkar, Badli Messenger with effect from 27-3-1982 is justified? If not to what relief is the concerned workman entitled?”

At the relevant time, the workman Shri Narayan Vithobaji Natkar was working as a Badli Messenger in the services of the State Bank of India, Ramtek Branch under the control of the Regional Manager, Region II of the State Bank of India. He was a Badli worker, i.e. a substitute. Whenever a messenger was absent or any night watchman was on leave, he would work in their place. The Ramtek Branch of the State Bank of India was having 5 posts of Messengers, out of which four were regular posts of Messenger. There was one post of a Sweeper and one post of Waterman. For accounts purposes, the post of a Sweeper and that of the Waterman were treated as equal to half Messenger. A half Messenger was required to perform only 19 hours of duty per week. Thus he performs duty for nearly half of the hours which a full Messenger would do. Natkar was thus working as a Messenger or as a Night Watchman whenever the vacancy arose because of the regular incumbent being on leave or for other reasons absent from duty. It could easily be appreciated that the Bank had made such an arrangement as its normal working should not suffer because of the absence of either the Messenger or the Night Watchman. The Bank was employing the Watchman round the clock and indeed the bank could not afford to be without a Watchman. Therefore, a stand-in-arrangement by way of appointing a regular Badli worker had been made.

The Badli worker could be appointed by the Branch Manager but the period of appointment could not exceed 90 days. For regular appointments, the Bank had its own procedure of selection. The Branch Manager had no hand in that. He could always make recommendations but that is of no consequence as far as the permanent appointments to posts were concerned.

Natkar was appointed for a total number 183 days during the period from February, 1981 to March, 1982. The nature of appointment could be easily appreciated that whenever either a Messenger or a Watchman was absent, he was employed, and otherwise he was not.

On 26-3-1982, the services of Natkar were terminated. The order terminating his services stated that his services were no longer required. A Badli worker has no right to the post except when the incumbent is absent. On his termination, he has raised this dispute on the ground that his services were terminated without any justifiable reason and prayed that a direction be made that he should continue

to be appointed as a Badli worker in future. His contention also is that since there are vacancies in the post of Messenger and Watchmen, he should be absorbed on any of them as he had already been working in the Bank.

The Branch Manager, Shri A. R. Pundlik deposed that there were two vacancies of Watchmen for the last 1-1/2 years though there is no vacancy of a Messenger. He admitted that when he terminated the services of Natkar, those vacancies were there in the Bank. There was also a vacancy of a Badli Watchman when the services of Natkar were terminated. He stated that he had no power to make any appointment for more than 90 days and had Natkar approached him, it might well have been that he had given him an appointment for 90 days again. He also admitted that the work of Natkar was quite satisfactory. However, he had appointed Quraishi as a Badli worker for 90 days and thereafter he appointed Sonwane, again for 90 days. Under these circumstances, it was contended on behalf of the workman that the reasons given in the termination order were not correct as the Bank needed a Badli worker the two posts of Watchmen having not been filled up. This seems to be the only contention raised before me. He had put in only 183 days' service in the past 12 months and, therefore, he was not entitled to any retrenchment compensation.

The post of Badli Worker is a temporary one and it is clear that the Branch Manager had power to make appointment for 90 days only. It seems that the Branch Manager was giving trials to different persons each time the period of 90 days expired. Administratively, it is open to him to decide whether this was a better policy for searching better person than to continue appointing the person who had already some experience on the job. Since the Branch Manager had discretion in the matter, this Tribunal will have nothing to say in the matter. The termination order merely reflects this policy of the Branch Manager and the expression "services are no longer required" merely goes to convey that the Bank did not require the services of Natkar, and not that there was no vacancy. Nothing therefore, turns upon the expression used in the order of termination.

The workman in his deposition had tried to show that he had been working on various posts. But merely because of that he did not acquire any right for continuance on that post. No service rule was brought to my notice as would give him such a right. The permanent vacancies in the Bank can only be filled by following the procedure laid down in this regard and it was not open to the Branch Manager to appoint him on any of those posts. I, therefore, render this Award by saying that the Bank Management was justified in terminating the services of Natkar with effect from 27-3-1982. There shall be no order as to costs.

12-3-1984.

K. K. DUBE, Presiding Officer

[No. L-12012/271/82-D.II(A)]

N. K. VERMA, Desk Officer

New Delhi, the 27th March, 1984

S.O. 1250.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Chandigarh in the industrial dispute between the employers in relation to the Management of Bhakra Beas Management Board, Chandigarh, and their workmen, which was received by the Central Government on the 20th March, 1984.

BEFORE SHRI I. P. VASISHTH, PRESIDING OFFICER,  
CENTRAL GOVT., INDUSTRIAL TRIBUNAL,  
CHANDIGARH

Case No. I.D. 91/81 (New Delhi): 78 of 1983 CHD

#### PARTIES :

Employers in relation to the Management of Bhakra Beas Management Board, Chandigarh.

#### AND

Their workman Shri Pritpal Singh.

#### APPEARANCES :

For the Employers—Shri R. L. Keith,

For the Workman—Shri R. K. Singh.

BHAKRA BEAS MANAGEMENT BOARD,  
CHANDIGARH

#### AWARD

Dated, the 14th March, 1984

The Central Government, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the Industrial Disputes Act, 1947, hereinafter referred to as the Act, vide their Order No. L-42012(11)/81-D.II(b) dated the 9th July, 1981 read with S.O. No. S-11025(2)/83 dated the 8th of June, 1983 referred the following Industrial Dispute to this Tribunal for adjudication :

"Whether the management of Bhakra Beas Management Board was justified in not allowing Shri Pritpal Singh on duty with effect from 12-3-1979. If not to what relief the workman is entitled?"

2. According to the petitioner/workman, he was employed as a Chowkidar (Part Time) by the Respondent Management on 15-10-1975 and he continuously worked for them till his services were dispensed with on 12-3-1979 on the insinuation of involvement in a theft case even though he was neither prosecuted in a court of law nor subjected to any departmental enquiry. It was propounded that an attempt was made to implicate him falsely but he was exonerated by the police on proper investigation. However, in view of such investigation he could not attend his duty w.e.f. 27-1-1979 and this fact was within the knowledge of the Management as well as the Doctor incharge of Kotla and Ganguwal Dispensary under whom he was serving at the relevant time. On being discharged by police on 12-3-1979 he immediately reported for duty but the concerned Doctor did not permit him to do so whereas his representations to the management, even through the Resident Engineer, proved futile.

3. Forced by the circumstances, the workman raised an Industrial Dispute which could not be sorted out during the Conciliation proceedings despite the intervention of the A.L.C.(C). and hence the reference.

4. Resisting the proceedings on all counts, the Management contended that the reference was bad because there was neither any pending nor apprehended dispute between the parties and, otherwise too, the reference was not maintainable due to non-joinder and mis-joinder of the necessary parties. On facts, they admitted that the petitioner/workman had worked for them as a contingent paid Chowkidar from 15-10-1975 to 12-3-1979, but according to them he had abandoned his post on 13-3-1979.

5. Elaborating their version the Management pleaded that 13-10-1978 it was felt that the petitioner had stolen some medicines etc. from the Dispensary since they were recovered from him that, he had also admitted his guilt and prayed for mercy and that was how that he was let off with a mere warning, but on 26-1-1979 another such incident took place at the residence of Medical Officer Kotla Dispensary and the petitioner was found absent from duty. However after a few days one Dharam Paul Singh was caught red-handed while attempting a theft, that he was beaten by some people and brought to the Dispensary for medical aid, where the Dr. concerned recognised him as a frequent visitor to the petitioner/workman. Obviously the petitioner was called and interrogated during which he admitted his involvement in the burglary of 26-1-1979, but before any action could be taken against him he escaped on giving a slip to the Doctor and thus abandoned his post.

6. The parties were taken to trial on the following issues framed over and above the terms of reference.

(i) Whether the reference is legally infirm and incompetent as alleged? O.P.R.

(ii) Whether the reference is bad for want of necessary parties ? O.P.R.

(iii) Relief.

7. In support of his case the petitioner examined himself whereas the Management produced Dr. V. K. Mishra who happened to be his immediate Officer at the relevant time, of course both the parties filed a number of documents also. I have carefully perused the entire material on records and heard the parties, any issue-wise discussion and findings are as follows :—

Issue No. 1.

8. In view of the history of the case, enumerated as above, there should be no manner of doubt that there is a serious dispute between the parties as to whether the petitioner had abandoned his job or the management wrongly assumed it for dispensing with his services. As a necessary corollary it follows, that it will be going too far to believe that there was no Industrial dispute to require adjudication by the Tribunal on reference by the Appropriate Government. I accordingly, answer the issue against the Management.

Issue No. 2.

9. During the course of hearing the workman's representative drew my pointed attention towards the Gazettee of India, July 15, 1972 (Asadha 24, 1894) containing Notification No. B-423(2)/513, Chandigarh the 26th of June, 1972 revealing "inter-alia" delegation of powers to the Chairman and Secretary of the Board to institute and defend legal action on behalf of the Management in all Judicial and quasi-judicial Forums. Thus, I find no substance in the Management's contention that the petitioner should have impleaded his appointing authority also as a party to the proceedings. As such, I answer the issue against them.

Issue No. 3. (Reference and Relief)

10. On behalf of the Management reliance was placed on the ocular testimony of Dr. V. K. Mishra and the alleged confessional statement Exb. M.2 of the petitioner to establish that he was a man of doubtful antecedent as he was directly involved in an incident of theft in the Hospital and the residence of Dr. Mishra.

11. In spite of seeming attraction the effort of the Management failed to carry conviction with me because the alleged confessional statement purports to have been made on 26-3-1979 whereas, according to their own projections in the written statement, the petitioner had given a slip to the concerned Doctor and ran away for the good on 12-3-79 after which he could not be contacted even for being recalled to duty. I fail to understand as to then how on earth he appeared before the same Doctor on 26-3-1979 to make the confessional statement. Moreover, it was not even suggested to him during his cross-examination that he had appeared before Dr. Mishra and given him any statement on that day.

12. Similarly Dr. Mishra also refrained from propounding any such theory in his deposition before me. Rather he had raised an evasive averment in para No. 5 of his Affidavit that Pritpal Singh had admitted his guilt in writing regarding the incident of 26-1-1979, but this part of his assertion has to be read and appraised along with the disclosure in the next para wherein it was revealed that the petitioner then gave a slip and abandoned his post w.e.f. 13-3-79. As a matter of fact the Affidavit of Dr. Mishra does not explain the contact between the parties after 13-3-1979 so as to infuse confidence in the alleged confessional statement of 26-3-1979. To crown it all, the Affidavit does not indicate the presence of any other person at the crucial time of confession, where the statement Exb. M.2 purports to have been signed and attested by no less than three witnesses, none of whom was put in the witness box to face the acid test of cross-examination.

13. Otherwise too, it does not appeal to judicial conscience that after obtaining the petitioner's confession, the Management would neither inform the police that their investigation was faulty nor initiate any private legal action in spite of the fact that when his involvement was earlier suspected in the theft-incident of 13-10-1978, he was promptly

reported to the police who, however, exonerated him on due investigation.

14. It may not be out of context to mention here that no confessional statement of Dharam Pal Singh, who was allegedly caught red handed and assaulted by the public necessitating his medical treatment at the Hospital, was taken down. At the risk of repetition it may be recorded that according to the Management the confessional statement of the petitioner was obtained only after his involvement was disclosed by Dharam Pal Singh on his own interrogation.

15. It thus appears that the Management was groping in the dark about the burglaries in and around the Hospital, and on account of mere suspicion alone they dispensed with the petitioner's services without holding any proper enquiry. Therefore, as a natural consequence of my aforesaid discussion I return my Award in favour of the workman and against the Management with a direction to them to reinstate him forth-with.

16. Normally setting aside of an illegal termination entitles a workman to full back-wages, but in view of the fact that the petitioner was only a Part-time Contingent-paid Chowkidar, he would be paid only 50 per cent of the dues.

Chandigarh,

14-3-1984

I. P. VASISHTH, Presiding Officer  
[No. L-42012(11)/81-D.II(B)]

New Delhi, the 29th March, 1984

S.O. 1251.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur in the industrial dispute between the employers in relation to the management of Public Health Organisation Kamptee and their workman which was received by the Central Government on the 22nd March, 1984.

BEFORE JUSTICE SHRI K. K. DUBE, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

Case No. CGIT/LC(R)(3)/1983

PARTIES :

Employers in relation to the management of Public Health Organisation, Kamptee, and their workman, Shri Saligram Fago Patil, Tinsmith, Resident of Naya Godam, Kamptee, District Nagpur (MS).

APPEARANCES :

For workman—Shri D. C. Chande, Advocate.

For Management—Shri Bhangre, Advocate.

INDUSTRY : Health Organisation District : Nagpur (MS)

AWARD

Dated, the 13th March, 1984

The Central Government in exercise of its powers under section 10 of the Industrial Disputes Act, 1947 referred the following dispute for adjudication vide Notification No. L-42012(21)/82-D.II(B), dated 18-1-1983 :—

"Whether the action of the Station Health Organisation, Kamptee, in terminating the services of Shri Saligram Fago Patil, Tinsmith with effect from 30-10-1980 and in not absorbing him as Mate in the same unit, is justified ? If not, to what relief is he entitled ?"

2. The Army maintains an establishment at Kamptee, known as Station Health Organisation. Amongst other activities pertaining to the maintenance of the health of the Army personnel, it maintains a hospital at Kamptee. The workman, Saligram Fago Patil was employed as a Mazdoor on 2-6-1958 in the Station Health Organisation, Kamptee. Since he was

qualified for the post of Tinsmith, after putting about 8 years' service, he was given a post of Tinamith. He continued as a Tinsmith for about 13 years from 15-10-1966. By an order of the Army Headquarters, the post was abolished and he was declared surplus. The Army Headquarters by its letter No. 06683/DMS-3(C), dated 22nd July, 1980 abolished the post of Tinsmith in the unit which fell in the category of medium and large station Health Organisation. So far as the Kamptee unit was concerned, it is a Medium Unit and, therefore, the post of Tinsmith from such unit was withdrawn in terms of the Army Headquarters' order. The workman was given three months' notice of discharge. The notice was duly received by the workman on 20-8-1980. So far these facts are not disputed.

3. The Army orders issued by the Chief of the Army Staff, which have the necessary binding effect on all concerned, envisaged that when an individual was rendered surplus in a Unit, he was to be absorbed in an equivalent or lower post for which he possessed the requisite qualification and is found suitable. The relevant paragraph No. 5 of the Special Army Order, Adjutant General's Branch, SAO/8/S/76 under the "Disposal of surplus and deficiencies—Class III and IV Civilian Establishment under the Ministry of Defence" reads as under :—

"An individual rendered surplus in a unit/establishment will first be considered by the Officer Commanding for absorption in the same unit/establishment against an equivalent or lower appointment for which he possesses the requisite qualifications and is found suitable in all respect. Absorption in a lower appointment will be carried out only after the individual concerned has given his willingness in writing to accept such an appointment."

4. According to the management, after receiving the order declaring Saligram Fago as surplus, it asked his willingness in terms of paragraph 5 of the order quoted above as to whether he would accept the lower post of a Lascar. On 5-11-1980 the workman was on duty, but it appears that the workman prevaricated to answer the query regarding his willingness to work as Lascar. He stated that he would have to consult his family members and it is only after that he would be able to inform the Organisation. The orders seeking compliance of election to be made by the workman were to go had to be carried out within 24 hours. The workman presented himself from duty from 5-11-1980 to 9-11-1980. Hereafter he expressed his unwillingness to join at Headquarters Maintenance Command I.A.F. C/o 56 APO. The unwillingness was given by the workman on 5-11-1980. In view of this the workman could not be considered for absorption on a lower post of a Lascar. It may be mentioned that at the relevant time the post of a Mate which is a post subordinate in rank to that of a Tinsmith was lying vacant in the same unit Kamptee Health Organisation. The workman, therefore, felt that he should have been absorbed on a post of a Mate rather than sending him to Nagpur or her place on the lowest post of Lascar.

5. The case of the workman is that he never refused the offer to be taken on a lower post of a Lascar. However, he claims that under paragraph 5 of SAO/8/S/76 referred to above, he had a right to be absorbed on an equivalent post, and if an equivalent post was not available, in the unit, then on a lower post and since Mate's post was lower than that of a Tinsmith and was in the same unit for which he was fully qualified, he should have been given that post. The workman contends that he has been retrenched and is entitled to retrenchment compensation. He had put in 22 years' service and no retrenchment compensation has been paid in the provisions of Section 25-F of the Industrial Disputes Act (hereinafter called the Act) has been complied. Therefore, he would be deemed to be in service, as the retrenchment was void. The Management having not complied with the mandatory requirements of section 25-F of the Act.

6. Except for the factual position as to whether the workman had given his unwillingness for being appointed on a lower post on 5-11-1980 most of the factual position is not disputed. The main question therefore, that falls for decision in this case is whether the workman had been retrenched by complying with the provisions of Section 25-F of the Act.

7. The management, to begin with, contended that the Organisation does not carry on an industry and is not an establishment to which the Industrial Disputes Act would apply. Of course, if this contention succeeds, there is an end of the matter as then the post having been abolished the incumbent would have no right to agitate before this Tribunal.

8. Having considered the matter and having regard to the various decisions of the Supreme Court in this case, it appears clear to me that the Health Organisation at Kamptee carries on an industry in as much as it offers medical services to the military personnel and others. If hospital could be an industry, the Health Organisation establishment of Kamptee would certainly be an industry within the meaning of the Act. I do not agree with the contention of the learned counsel for the management that the Central Government while running Health Organisation at Kamptee was doing so in exercise of its sovereign functions. Keeping of army is a sovereign function as it was necessary for the protection of the country from external aggression, but the hospital run by the Organisation is similar to any other hospital run by the State with the only exception that it is generally catering for the needs of the military personnel. It is also a known fact of which even a judicial notice could be taken that these hospitals also admit civilians on payment under certain circumstances. There is, therefore, hardly anything to distinguish it from the civil hospitals. In any case nothing has been brought out before me in evidence to put it on a different footing than a civil hospital. Therefore, I hold that the organisation would be an 'industry' and would be governed by the provisions of the Act.

9. At this stage let me also dispute of the question whether the workman had given his willingness to serve on a lower post in terms of paragraph 5 of the Special Army Orders referred to above.

10. Exhibit M/1 is a copy of the document, the original of which I have seen, in which the workman, Saligram Fago had expressed his unwillingness to accept the appointment of Lascar. It is contended that the words 'not' were subsequently interpolated and have not been written by the workman. I have perused the original and find that the entire matter is type-written except the word 'not'. It seems that the management felt that the workman will not refuse the posting as a Lascar. Therefore, the word 'not' had not been typed. But as it turned down the workman was not willing to accept a lower post as that of a Lascar when the post of a Mate was lying vacant in the establishment. He had, therefore, deliberately, introduced the word 'not' and had signed there. After this there is an endorsement by Major Sharma who has stated that the individual concerned was not willing to accept the appointment. I do not think that the Army Officers had any interest in interpolating this letter by introducing the word 'not'. They would hardly have any interest in the services of Saligram whether he goes to Nagpur or not. If he had accepted then he would have to go to Nagpur. If he does not accept, he goes out of service. It did not matter to them in any manner. The evidence is also that the workman was hesitating whether to accept or not. In fact he had applied during the notice period that he be given the post of Mate which was lying vacant, but the Army establishment had declined to do so. The applicant also admitted that attempt had been made by the office to serve him the orders seeking his option for lower post. If he were willing, he could have immediately intimated about it as he had known this fact on the 4th itself. It was because he was not willing to accept that offer and that is why he was avoiding to give his willingness or unwillingness in writing. In a military establishment the actions are time bound and have to be executed within the stipulated period. The office had, therefore, sent a man to the workman when he had not come to the office. All these facts would go to show that the letter Ex. M/1, copy of which is on record, had not been a fabricated document nor that it was interpolated. I am, therefore, of the view that the workman had refused the offer for appointment to the post of a Lascar.

I have now to deal with two aspects of the case (1) whether it was incumbent on the management to absorb him on the post of a Mate, and (2) whether it was a case of retrenchment and, therefore, the provisions of section 25-F were required to be complied with?

I am of the opinion that the retrenchment was illegal for non-compliance of the mandatory provisions of the Act, the workman would be deemed to be in service and the second question would be useful in calculating back wages and the post to which he would be deemed to have continued.

12. It is an admitted position that the post of Mate lay vacant in the Health Organisation, Kamptee when Saligram was declared surplus. The management's contention is that the workman cannot be absorbed on the post of a Mate as that post can only be filled on Promotion from the rank of a Mazdoor. I do not appreciate the force of such contention because for demotion it has only to be seen whether the post is of a lower rank. In Para 5 of the Special Army Orders quoted above, the post to which the applicant could be absorbed would be a post of an equivalent rank or a lower rank. If the next lower rank was available in all reasonable-ness the applicant workman should have been offered this post. It is not necessary to go to a further lower rank for offering the workman whose post has been abolished and who has become surplus. Therefore, the management was not right in not offering this post of Mate to Saligram when it was lying vacant in the unit. Para 5 clearly says that the individual rendered surplus will have to be first considered for absorption in the same unit. Now, this post of Mate was in the same unit and it is also an admitted position that it is lower in rank. As regards qualifications, the workman had put in about 8 years of service as a Mazdoor and before being promoted as a Tinsmith he had worked as a Mazdoor himself. Nothing has been brought about to show that he did not possess the necessary ability to fill in the post of Mate. It was necessary for the management to show that the incumbent was unsuited to the post of Mate or that he had not the necessary qualification. This had not been done. Effect of this would be that he had not been given the proper option. Had a proper option been given to him he might have accepted it. It is clear from the record that he was willing to serve as a Mate. The paragraph in question has the necessary statutory force being, order of the Chief of the Army Staff and a strict compliance of the orders was necessary and the establishment was not left with any choice to send the workman to a different place when a lower rank was available in the same Unit.

Saligram had put in 22 years' service. It was open to the establishment to abolish the post of Tinsmith for administrative exigencies. The Army Headquarters by its letter dated 22-7-1980 abolished the post of Tinsmith in the Unit which fell in the category of Medium and Large Station Health Organisation. So far as Kamptee Unit was concerned, it is reckoned as a Medium Unit. The Units were directed to initiate necessary action to effect reduction of Tinsmiths from all Station Health Organisation. Medium and large it was on account of this that the post of Tinsmith were abolished. On 30-8-1980, a notice was given to the workman in accordance with the terms and conditions of service. He was informed that his service were being terminated with effect from the date of expiry of 3 months' period from the date of service of the order as the post was abolished and he had become surplus. This order was duly received by the workman on 30-8-1980. Therefore, the workman had 3 months' notice before his services were terminated. The very nature of termination would show that this was a clear instance of retrenchment and, therefore, compliance of section 25-F of the Act was mandatory. The management has not paid retrenchment compensation nor other terms of section 25-F of the Act have been complied with. The retrenchment was thus void with the result that the workman Saligram Fago Patil would be deemed to be in service. The question would, therefore, arise as to the post on which he could be deemed to have continued.

13. In terms of Paragraph 5 of the orders of Army Headquarters, quoted above, Mate's post was vacant and the workman had applied that he should be given that post. His application could easily be construed as willingness to continue on the post of a Mate. I am, therefore, of the opinion that the workman would be deemed to have continued on the post of Mate after the termination of his services from the post of Tinsmith. He would be entitled to the back wages of that post.

Order :

I direct that Saligram Fago Patil be paid back wages at the post of Mate after fixing him in the relevant Pay scale 1627 GI/83-8.

to which he would be entitled having regard to the service rendered in the higher category cadre. He be appointed on the post of Mate at Kamptee. He would be entitled to all the incidents of service as though he had been duly appointed as Mate w.e.f. 30-10-1980. There shall be no order as to costs.

K. K. DUBE, Presiding Officer

[No. L-42012/2/82-D.II(B)]

T. B. SITARAMAN, Under Secy.

New Delhi, the 26th March, 1984

S.O. 1252.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad in the industrial dispute between the employers in relation to the management of South Tisra Colliery of Messrs Bharat Coking Coal Limited, and their workmen, which was received by the Central Government on the 20th March, 1984.

# BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD

Reference No. 54/81

## PRESENT :

Shri I. N. Singh, Presiding Officer.

## PARTIES :

Employers in relation to the management of South Tisra Colliery of M/s. Bharat Coking Coal Ltd., P.O. Khas Jeenagora, Dist. Dhanbad.

AND

Their workman.

## APPEARANCES :

For the Employers—Shri B. Lal, Advocate

For the Workman—Shri P. D. Sharma, Advocate.

INDUSTRY : Coal

STATE : Bihar.

Dated, the 13th March, 1984

## AWARD

This case has got some checkered history. The Government of India in the Ministry of Labour in exercise of the powers conferred on them U/s. 10(1)(d) of the Industrial Disputes Act, 14 of 1947 originally referred the above dispute to the Central Government Industrial Tribunal No. 2, Dhanbad under Order No. L-20012/148/75-D.IIIA dated the 21st January, 1976. For reasons not necessary to be mentioned it was transferred to this Tribunal and again it was re-transferred to Tribunal No. 2, Dhanbad. Lastly it was again re-transferred to this Tribunal for adjudication in the year 1981 under Order No. L-20025(23)/79-D.IIIA, dated the 17th October, 1981.

2. The schedule of the Reference runs as follows :

## SCHEDULE

"Whether the management of South Tisra Colliery of Messrs Bharat Coking Coal Ltd., P.O. Khas Jeenagora, Dist. Dhanbad, is justified in refusing employment with effect from 17-9-1973 to Shri Shyam Lal Sharma, Cashier? If not, to what relief he is entitled?"

3. It may be mentioned here that the Advocate for the concerned workman Sri Shyam Lal Sharma with due respect to him adopted delaying tactics and filed several petitions on several dates and with great difficulty this Tribunal has been able to come to the stage of giving award after about more than two years.

4. The case of the workman is that he was appointed as a permanent Cashier in the formerly-Sulunga Collieries under

Golden Jeenagora Colliery by the erstwhile owner on 1-2-1954. The colliery in question along with other non-coking collieries were taken over by the Central Government on 31-1-1973 and they were nationalised with effect from 1-5-1973. Just after take over the Golden Jeenagora Section was merged with South Tisra Colliery and now it is under M/s. Bharat Coking Coal Ltd. It is stated that the function of the concerned workman included preparation of ledgers, writing of Hindi cash book, preparation of vouchers, payment of weekly and monthly wages etc. He was, however, a Hindi Cashier. It is stated that after take over and nationalisation he became an employee of the present management as per provisions of the Coal Mines Nationalisation Act.

5. The further case of the workman is that he continued to work in the said colliery upto 22-2-1973 on which date he fell seriously ill and as per direction of the Manager he handed over charge of his office including cash vide Annexure 'A' of his written statement and he sent a formal leave application dated 22-2-1973 by registered acknowledgement due along with medical certificate praying for sick leave upto 15-3-1973. He, however, applied for extension of sick leave upto 23-3-73 but as he was advised prolong treatment at least for a period of six months and accordingly he informed both the Mines Manager and the Custodian about his illness and he continued to avail the long unavailed privilege leave which had been granted to him by the erstwhile management in the month of January, 1973. The said leave had been granted to him till 15-9-1973 by the erstwhile management. On recovering from his prolong illness the workman reported for his duty at the Mines Office of Golden Jeenagora Colliery on 17-9-1973 (16-9-73 being Sunday), but he was directed to report to the Personnel Officer, Vihar Building Headquarter, Jharia because his work in Hindi Mahajani system allegedly stood discontinued and hence he reported for his duty at the Vihar Building, Jharia at 10-15 hours on the same date and filed his petition for joining his duty. But he was not allowed to join and he was sent from Head Office to Mines Office and vice-versa and thus he was illegally and wrongfully stopped from work with effect from 17-9-1973. He made several representations to different officers including the Chief Industrial Relations and Personnel but without any effect. He also made a demand of justice on 8-3-1975 to the Chairman, Coal Mines Authority and to the Chairman-cum-Managing Director, Bharat Coking Coal Ltd., but without any result. It is submitted that the action of the management in stopping work without any proper notice or chargesheet is improper and illegal and hence he is entitled to be reinstated in service with consequential relief.

6. The defence of the management, however, is that there was no industrial dispute in existence as the workman did not raise any dispute before the employer before approaching the A.L.C. and hence the present Reference is liable to be dismissed on that ground alone. It is stated that prior to take over of the management of Golden Jeenagora Colliery which later merged into South Tisra Colliery, Sri Shyam Lal Sharma the concerned workman used to work at the residence-cum-office of the owners of Golden Jeenagora Colliery. It is submitted that though his name was in the colliery master roll with the designation of Cashier but he never worked in the colliery or attended the colliery office. He used to visit the colliery for a few hours every week only for making the payment of wages to the employees. But he was mainly engaged in some job of some other business of the previous owners of the colliery. It is, however, admitted that the concerned workman used to be paid from the colliery account but according to the management the colliery management had no control over him. According to the present management in actual practice Sri Sharma was not an employee of the concerned colliery though he used to be paid from the colliery account.

7. The further case of the management is that the after take over of the management on 31-1-1973 the concerned workman did not report for work at the colliery office and remained absent without any information. He did not obtain any leave from the new management nor informed about his whereabouts and according to available information he continued in the employment of the previous owner in his other business on his own choosing and was not interested to join work in the colliery at that time. This is evident from the fact that he was entrusted by the previous owner on 13-7-73 as their representative to take delivery of some records of

the colliery relating to their period. It is also stated that the workman did not report for duty on 17-9-73 at the colliery office as alleged and as such there could be no question of refusing employment to him. It is also submitted that the workman never approached the authorities of the Bharat Coking Coal Ltd., before he raised the present dispute before the A.L.C. in May, 1975. It is also submitted that since the workman had not shown any interest for joining work in the colliery for two years after take over of the management, the Bharat Coking Coal Ltd., was fully justified in not agreeing to take him back in employment during conciliation proceeding since there was no suitable vacant post in existence at that time. It is also submitted that if the workman had been interested in joining work he should have immediately reported for duty when by Office Order dated 10-3-73 he was impliedly notified to do so by the then Custodian. According to the management the own whims of the workman is responsible for not taking him in employment by the present management.

8. On the above grounds it is prayed that the Reference be decided in favour of the management.

9. The point for consideration is as to whether the action of the management in refusing employment to the concerned workman with effect from 17-9-1973 is justified. If not to what relief he is entitled.

10. It is not denied by the management that the concerned workman Sri Shyam Lal Sharma prior to take over and nationalisation of the coal mines was working under Golden Jeenagora Colliery and they all came under the management and control of M/s. Bharat Coking Coal Ltd. The concerned workman has also filed Ext. W-1 which is his appointment letter dated 24-1-1954 appointing him as a Hindi Cashier by the erstwhile management. It is stated by the management that though the name of the concerned workman appeared on the roll of the colliery and he was also paid his wages from the colliery fund, but in fact he performed other duties of the Ex-owner. But there is no document or any paper to show that the concerned workman in fact performed other duties of the management and he was not an employee under the colliery. In paragraph 7 of the written statement the management has stated that the concerned workman used to be paid from the colliery account on certificate issued from the residential office of the previous owners and the colliery management had no control over him whatsoever. This fact has not been corroborated by any document of the management. No evidence has been adduced to the effect that the payment of wages from the colliery account used to be made to the concerned workman on certificate issued from the residence office of the previous owners. In fact Ext. W-16 is the Form B register of the colliery which shows that the name of the concerned workman was mentioned in that register as a Cashier in Sl. No. 4. This clearly proves that he was an employee in the colliery. Besides this Ext. W-15 is the pay-cum-attendance register of the colliery for the period from January 1973 to March 1973. This also shows that the concerned workman was an employee of the colliery on the date of take over and he received full pay for the month of January, 1973. Thus it cannot be said that the concerned workman was not a workman working under the colliery on the date of take over. There is also copy of one office order dated 10-3-73 which is Annexure II of the written statement filed on behalf of the management. This is issued by the Custodian, Coal Mines Authority addressed to the Manager, Golden Jeenagora Colliery and others in which it is mentioned that the cases of Head Office/Jharia Office staff was discussed with the Additional Custodian General, Coal Mines Authority and it had been decided that all employees holding C.M.P.F. Account Numbers and the Cashier and Accounts Clerk will be taken on the roll of the colliery and so the respective authorities were advised to enter those names in their colliery roll and allow them to resume their duties with immediate effect. In this letter the name of the concerned workman is noted in Sl. No. 7 along with his C.M.P.F. Number and basic pay. Thus this document also clearly indicates that the concerned workman was treated as an employee of the colliery even by the present management.

11. The next contention of the management is that the concerned workman never reported for duty and so there was no question of refusal of employment. In this connection certain documents are material. The case of the workman



is that he worked in the colliery till 22-2-73 and thereafter he fell ill and went on leave. Ext. W-6 is a letter dated 22-2-73 sent by registered post by the concerned workman to the Colliery Manager, Golden Jeenagora Colliery informing that he was not keeping good health and so he may be allowed sick leave upto 15-3-73. Ext. W-6/1A is the registration receipt showing that it was sent by the concerned workman by registered post. The genuineness of the document cannot be doubted. Further the case of the concerned workman is that while going on leave he made over charge of the accounts under the direction of the Manager. Ext. W-8 is the charge report signed by the concerned workman showing that he had made over charge of the cash book, cash vouchers etc. to one Sri Manaranjan Dey on 22-2-73. This Manaranjan Dey is an employee under the management, but the management has not cared to examine him. This document thus clearly indicates that the concerned workman left the colliery on sick leave after duly making over charge. The concerned workman applied for further extension of leave from 9-3-73 to 23-3-73 vide registered letter Ext. W-9 dated 8-3-73. Ext. W-9/1 is the postal receipt and Ext. W-9/2 is the acknowledgement showing that it was actually received by the Office of the Manager, Golden Jeenagora Colliery on 10-3-73. The fact that the concerned workman was on Earned and Sick leave is corroborated from the pay sheet for the month of March, 1973 which would indicate that in the said month for the entire period the concerned workman was shown as on leave and sick leave. The wage register for subsequent period has not been filed by the management.

12. It may, however, be mentioned that a large number of documents were called for on behalf of the workman from the management, but most of them have not been filed on the ground that they were not available and in support of it the management examined MW-1 Sri R. P. Srivastava, Personnel Officer who also filed an affidavit Ext. M-1 to the effect that the documents called for were not traced. Thus from the above documents whose genuineness cannot be doubted and which were duly received by the management it is clear that at least till 23-3-73 the concerned workman was on sick leave.

13. The matter thereafter took another turn. The concerned workman did not join on 24-3-73 and his case is that he had not availed his due leave for several years and so on 21-1-73 (prior to take over) he had filed a petition before the Managing Director of the erstwhile owner for grant of unavailed privilege leave to him from 16-3-73 to 15-9-73. In this petition he prayed that due to nature of management's work it had not been possible for the management to grant him yearly leave regularly inspite of his requests and as he had to arrange for the marriage of his daughter and son he may be granted leave for six months from 16-3-73 to 15-9-73. There is an endorsement on this petition showing that he was granted leave as prayed for with full pay from 16-3-73 if found due after calculation from the records. The case of the concerned workman is that on the basis of this grant of leave he continued to remain on leave till 15-9-73 and came to join thereafter, but was refused employment. The genuineness of this document, however, has been challenged and it is contended on behalf of the management that this document has been manufactured in collusion with the previous owners subsequently. As against this the concerned workman, however, has filed copy of a letter dated 24-3-73 (Ext. W-10) said to have been sent by him to the Manager as also the Custodian, Coal Mines Authority informing him that he was undergoing medical treatment and so he was in need of leave for six months which had been granted to him already and that all the sick leave due to him should be adjusted accordingly. This appears to have been sent under certificate of posting vide Ext. W-10/1. The question, however, remains that at least till 23-3-73 the concerned workman was allowed to remain on sick leave by the present management also and thus he was deemed to be an employee of the present management. The concerned workman has also filed Ext. W-7 which is a letter written by the Dy. Controller of Accounts to their Banker M/s. Virjee and Co., praying to arrange to deliver cash for payment of weekly wages and the concerned workman was authorised to receive the amount for Golden Jeenagora Colliery. This document thus proves that at least till 5-2-73 the concerned workman was working under the present management. As

stated earlier Ext. W-8 would show that he worked till 22-2-73 and made over charge on that date.

14. As stated earlier the case of the workman is that as per Ext. W-6/2 he was on leave till 15-9-73 and as 16-9-73 was a Sunday he went to join his duty on 17-9-73 but was refused to join. Ext. W-14 is the joining report under the signature of the concerned workman which is addressed to the Personnel Officer/Office Superintendent, B.C.C. Ltd., Jharia Office, P.O. Jharia. In this report it is stated that the concerned workman is a permanent employee of Golden Jeenagora Colliery as a Hindi Cashier in their Jharia Coal Town Office but management of which has been vested in the Central Government and that as he was on leave till 15-9-73 he was reporting for duty on 17-9-73 in Jharia Coal Town Office. But after take over the Jharia Coal Town Office had been dismantled and so he was reporting for duty in Jharia Coal Town Office. This joining report was received by the Receiving Clerk Sri K. Sah who has put his signature on it. There is also seal of the B.C.C. Ltd., Vihar Building Headquarters, Jharia. The concerned workman had called for this document also but it has not been filed. This document thus clearly shows that the concerned workman had reported for duty on 17-9-73 before the Personnel Officer. The management has attacked this document as a forged one and it is their case that the concerned workman never came to join his duties. But the very seal of the B.C.C. Ltd., on this document clearly indicate that the concerned workman went to join on 17-9-73 but no action was taken by the management. It appears that thereafter the concerned workman wrote several letters to different authorities of the B.C.C. Ltd., in the year 1973 and 1974 vide Ext. W-17 series but no step was taken by the management nor the case of the concerned workman was ever considered. Lastly he also sent a letter Ext. W-17/7 to the Chairman, Coal Mines Authority, Chairman-cum-Managing Director B.C.C. Ltd., and others demanding justice but in none of these letters any action was taken by the management and lastly finding no alternative the present Industrial Dispute was raised.

15. At this very stage it will be proper to discuss the points of argument made by the management at the time of hearing. It is stated that the Reference shows that the refusal was made by South Tisra Colliery but the concerned workman was an employee of Golden Jeenagora Colliery and hence any refusal by South Tisra Colliery does not give any cause of action. This contention of the management is not sound. It is admitted that the Golden Jeenagora Colliery was merged with the South Tisra Colliery and South Tisra Colliery became the owner just after merger. In that view of the matter Golden Jeenagora Colliery had lost its identity and South Tisra Colliery was the employer and hence the refusal must be deemed to have been made by the South Tisra Colliery. The actual date of merger has not been given by the management nor any document has been filed to show on which date there was merger. The Reference, therefore, cannot be said to be illegal and refusal must be said to have been made by the South Tisra Colliery. Further all these collieries came under the Bharat Coking Coal Ltd., and the concerned workman also wrote to the different authorities of Bharat Coking Coal Ltd., vide Ext. W-17 series, still no action was taken by the management who was the ultimate employer.

16. Now even if it be conceded for the sake of argument that the concerned workman remained absent unauthorisedly after March, 1973 and his application for leave filed on 23-1-73 was not genuine, still it can utmost go to show that he remained absent after March, 1973 without any prior permission. After all he was a permanent employee of the colliery. In that view of the matter it was the duty of the management to frame a chargesheet against him for unauthorised absence and take necessary steps after holding domestic enquiry, but this step was not taken. It is now well settled that termination for whatever reason amounts to retrenchment and in case of every retrenchment the provisions of Section 25F of the Industrial Disputes Act, 1947 is to be followed. But no retrenchment compensation was paid to the concerned workman who was also a member of C.M.P.F. The management has no doubt examined MW-2 Sri Maher Prasad, Personnel Officer, Jeenagora Colliery from October, 1972 to October, 1977 who has stated that the concerned workman

never came to join and had reported for duty but in face of that document the oral evidence of MW-2 does not hold good.

17. The management has also contended that the concerned workman was in fact working under the previous owner and in support of that they have filed Annexure 1 in their written statement which is said to be a copy of a letter written by the Director Sulunga Colliery to the Sub-Area Manager, Tisra Jairampur Area informing that they were sending their representative Sri Shyam Lal Sharma for taking copy of the cash book taken by the management as it was required by the Income Tax Department. The original of this document has not been filed, but the workman has filed an affidavit which is on record to show that he had gone to take that document on behalf of the Ex-owner as his representative only and he was not an employee of the Ex-owner. This letter is dated 13-7-73. But by no stretch of imagination it proves that he was an employee of the Ex-owner. The concerned workman might have been authorised to take copies of some documents on behalf of Ex-owner and it is not uncommon that anybody can be authorised to take delivery of such documents and so this annexure is not helpful to the management at all.

18. Thus from all the above documents it is clearly shown that the concerned workman was an employee under the present management and it was the duty of the management to allow him to join the colliery when he reported for duty. It may, however, be mentioned that the concerned workman was a Hindi Cashier and work in Hindi was not permissible in B.C.C. Ltd., as there was no post of Hindi Cashier. But after take over and nationalisation U/S 14(1) of the Coal Mines Nationalisation Act the concerned workman could have been provided in any alternative post and his pay scale should have been protected. The contention of the management that there was no post of Hindi Accountant is not tenable at all. The provisions of Section 25F of the Industrial Disputes Act should have been complied with if the concerned workman was not allowed to join. But the said provision has not been complied with and hence the refusal must be held to be illegal and unjustified.

19. The next question is as to what relief the concerned workman is entitled. The Form B register which is of the year 1971 would show that the concerned workman was aged 49 years at that time and so he has attained the age of 60 years by now. The question of reinstatement therefore does not arise at all and the only course open now to allow him compensation for the idle period as the refusal is held to be illegal and unjustified. The workman is also at fault because even if he had taken earned leave from the Ex-owner before nationalisation for a period of six months which expired on 15-9-1973 still after take over and nationalisation he should have applied before the present management for leave for six months because the Ex-owner was no longer his employer. But this step was not taken by him. Further his leave application before the Ex-owner had been attacked to be forged and fabricated. In such view of the matter I think the ends of justice will be met if the concerned workman is allowed half the wages from 17-9-73 till the date of his retirement on the scale which he was getting as will appear from the Annexure 11 of the written statement of the management which shows that in March, 1973 his basic pay was Rs. 505 plus V.D.A. and other allowances. He will of course be entitled to his Provident Fund amount as also gratuity payable if any.

20. To sum up, I hold that the refusal of employment to the concerned workman is illegal and unjustified and he is entitled to half of his wages from 17-9-1973 till the date of his retirement which is to be calculated on the basis of his basic pay Rs. 505 plus V.D.A. and other allowances.

21. The award is passed accordingly.

J. N. SINGH, Presiding Officer

[No. L-20025/23/79-D.III(A)]

A.V.S. SARMA, Desk Officer

नई दिल्ली, 28 मार्च, 1984

का० प्र० 1253.—केंद्रीय सरकार ने यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (इ) के उपखण्ड (vi) के उपबन्धों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का०प्र० 4037 तारीख 26 सितम्बर, 1983 द्वारा जिमी भी तेल क्षेत्र में सेवा को उक्त अधिनियम के प्रयोजनों के लिए 10 नवम्बर, 1983 से छ मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था ;

और केंद्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छ मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है ;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (इ) के उपखण्ड (vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 10 मई, 1984 से छ मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[संख्या एस-11017/6/81 डी० I(ए)]

एस.एच.एस. आयर, अवर सचिव

New Delhi the 28th March, 1984

S.O. 1253.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provision of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S.O. 4037 dated the 26th September, 1983 the service in any Oil field to be a public utility service for the purposes of the said Act for a period of six months, from the 10th November, 1983.

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purpose of the said Act for a further period of six months from the 10th May, 1984.

[No. S-11017/6/81-D.I(A)]

S. H. S. IYER, Under Secy.

प्रादेश

नई दिल्ली, 28 फरवरी, 1984

का० प्र० 1254.—केंद्रीय सरकार की राय है कि इससे उपखण्ड अनुसूची में विनिर्दिष्ट विषय के बारे में जयपुर मिरनल डिप्लोमेट मिनीकेट (प्राइवेट) लिमिटेड, जयपुर के प्रबंधक से सम्बंध एक औद्योगिक विवाद नियोजकों और उनके कर्मचारियों के बीच विद्यमान है ;

और केंद्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्दिष्ट करता बाध्यकारी समझती है ;

अतः केंद्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उपधारा (i) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण अर्पित करती है जिसके पीठासीन अधिकारी श्री महेन्द्र भूषण शर्मा होंगे, जिनका मुख्यालय जयपुर में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्दिष्ट करती है।



## अनुसूची

## आदेश

नई दिल्ली, 2 मार्च, 1984

“क्या गोलचा ग्रुप आफ इंडस्ट्रीज इम्प्लाइज यूनियन, सेंट्रल आफिस बिजय गार्डन, टोंक फाटक, जयपुर मिनरल डिवेलपमेंट सिडिकेट प्राइवेट लिमिटेड की डगोटा झरना सोप स्टोन माइंस में नियोजित कर्मचारियों के संबंध में निम्नलिखित मांगें न्यायोचित हैं? यदि नहीं, तो वे कौन से अन्य अनुतोषों के हकदार हैं?”

(क) श्री रामकरण पुत्र रामधन को, जिसे डाक्टरों रूप से अयोग्य घोषित किया गया था और जिसके लिए हल्के काम की सिफारिश की गई थी, स्थाई एवं नियमित किया जाना चाहिए तथा खानों के वाटर हट कार्य में उचित वेतन का भुगतान किया जाना चाहिए, जहां वह पिछले लगभग एक वर्ष से कार्य कर रहा है।

(ख) दिनांक 19-6-1980 के समझौते के अनुसार, श्रमिकों को 1-4-1982 से 15 रुपये की दर से मासिक भूमिगत भत्ता पुनः चालू करना।

[सं० एन० 29011/21/82-डी-3. (बी)]

एम० एम० पराशर, डेस्क अधिकारी

## ORDER

New Delhi, the 28th February, 1984

S.O. 1254.—Whereas the Central Government is of the opinion that an industrial dispute exists between the employers in relation to the management of Jaipur Mineral Development Syndicate (Private) Limited, Jaipur and their workmen in respect of the matter specified in the schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by Section 7A and clause (d) of sub-section (1) of Section 10 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri Mahendra Bhushan Sharma shall be the Presiding Officer, with headquarters at Jaipur and refers the said dispute for adjudication to the said Tribunal.

## SCHEDULE

“Whether the following demands of the Golcha Group of Industries Employees' Union Central Office, Vijaya Garden, Tonk Fatak, Jaipur in relation to the workers employed in Dagota Bharna Soap Stone Mine's of Jaipur Mineral Development Syndicate Pvt. Ltd. are justified? If not, what other reliefs are they entitled to?”

(a) Shri Ram. Karan C/o Ramdhan who was medically declared unfit and recommended for light job should be made permanent and regular and paid due wages in the water hut job of the mine where he has been working for the last about one year.

(b) Restoring the underground allowance to the workers at Rs. 15 per month as per settlement dated 19-6-80 w.e.f. 1-4-1982.

[No. I-29011/21/82-D.III(B)/D.IV(A)]

S. S. PRASHER, Desk Officer

का० आ० 1255.—केन्द्रीय सरकार की राय है कि इससे, उपाबद्ध अनुसूची में विनिर्दिष्ट विषय के बारे में मैसर्स बिसरा स्टोन लाईम कंपनी लि०, डा० बिरमित्रपुर के प्रबंधकों से सम्बद्ध एक औद्योगिक विवाद नियोजनों और उनके कर्मचारियों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 10 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री जे० एम० मोहपात्रा होंगे, जिनका मुख्यालय भुवनेश्वर में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

## अनुसूची

“क्या मैसर्स बिसरा स्टोन लाईम कं० लि०, डा० बिरमित्रपुर, जिला सुन्दरगढ़ (उड़ीसा) के कर्मचारियों का जिनका प्रतिनिधित्व गंगपुर मजदूर संघ (इंटक) करती है, वह दावा नैच और न्यायोचित है कि मैसर्स बिसरा स्टोन लाईम कं० लि० के प्रबंधकों द्वारा औद्योगिक विवाद अधिनियम, 1947 की धारा 9ए के अन्वीन 10 फरवरी, 1984 की परिवर्तन सूचना कर्मचारियों के हितों के विरुद्ध है, क्योंकि इससे उनके वेतन कम हो जायेंगे। यदि हां, तो संबंधित कर्मकार किस तारीख से किम अनुलोष के हकदार है?”

[सं० एन० 29011/13/84-डी-3 (बी०)]

## ORDER

New Delhi, the 2nd March, 1984

S.O. 1255.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to Messrs Bisra Stone Lime Company Limited, P.O. Birmatrapur and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by Section 7-A and clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri J. M. Mohapatra shall be the Presiding Officer, with headquarters at Bhubaneswar and refer the said dispute for adjudication to the said Tribunal.

## SCHEDULE

Whether the contention of the workmen of Messrs Bisra Stone Lime Company Ltd., P.O. Birmatrapur, Dt. Sundargarh (Orissa) represented by Gangpur Labour Union (INTUC) that the notice of change dated the 10th February, 1984 given under Section 9A of the Industrial Disputes Act, 1947 by the management of Messrs Bisra Stone Lime Co. Ltd., is against the interest of workmen as their wages will get reduced, is valid and justified? If so, to what relief are the workmen concerned entitled and from what date?

[No. I-29011/13/84-D.III(B)]

प्रदेश

नई दिल्ली, 12 मार्च, 1984

का० प्रा० 1256—केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषय के बारे में बाबूभाई बाड़ागामा स्टोन क्वैरी, मुकाम एवं डाकघर, जेसपूर, स्टोन क्वैरी मालिक के प्रबंधन से सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मचारों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना बांछनीय समझती है;

प्रतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (1) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री जी० एस० बरोत होंगे, जिनका मुख्यालय प्रहमदाबाद में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

“क्या मैसर्स बाबूभाई बाड़ागामा स्टोन क्वैरी, मुकाम व डाकघर जेसपूर के प्रबंधन की शक्ति, श्रीमती नरबादेन चतुर्बाई वसावा की 6-6-83 से सेवाएं समाप्त करने की कार्यवाही न्यायोचित है? यदि नहीं, तो संबंधित कर्मकार किस अनुतोष की हकदार है?”

[सं० एल०-29012/54/83-डी-3 (बी०)]

ORDER

New Delhi, 12th March, 1984

S.O. 1256.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Babubhai Vadagama Stone Quarry At & P.O. Jespore, Stone Quarry Owner, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now therefore, in exercise of the powers conferred by Section 7A and clause (4) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri G. S. Barot shall be the Presiding Officer, with headquarters at Ahmedabad and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

Whether the action of the Management of Messrs Babubhai Vadagama Stone Quarry, At & P.O. Jespore in terminating the services of Shrimati Narbadaben, Chaturbai Vasawa, Labour, with effect from 6-6-83 is justified? If not, to what relief is the workman concerned entitled?

[No. L-29012/54/83-D. III(B)]

प्रदेश

नई दिल्ली, 21 मार्च, 1984

का० प्रा० 1257—केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषय के बारे में मैसर्स सिंगरैणी कोलियरीज कं० लि०, कोठागुडियम के प्रबंधन से सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मचारों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना बांछनीय समझती है;

प्रतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (1) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री एम० श्रीनिवासा राव होंगे, जिनका मुख्यालय हैदराबाद में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

“क्या मैसर्स सिंगरैणी कोलियरीज कं० लि० कोठागुडियम के प्रबंधन का श्री एरला पोशाया, टिम्बरमैन, नं० 5 ए० इन्क्लाइन को वां प्रतिरिक्त वेतन वृद्धियां देने से इस्कार करना न्यायोचित है? यदि नहीं तो संबंधित कर्मकार किस अनुतोष का हकदार है?”

[सं० एल०-22012/12/83-डी-3(बी)]

ORDER

New Delhi, the 21st March, 1984

S.O. 1257.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to Messrs Singareni Collieries Co. Ltd., Kothagudum and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (1) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri M. Sinivasa Rao shall be the Presiding Officer, with headquarters at Hyderabad and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

“Whether the management of Messrs Singareni Collieries Company Limited, Kothagudum are justified in refusing to grant two extra increments to Shri Earla Poshaiyah, Timberman, No. 5A Incline? If not, to what relief is the workman concerned entitled?”

[No. L-22012/121/83-D.III(B)]

प्रदेश

नई दिल्ली, 21 फरवरी, 1984

का० प्रा० 1258—केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषय के बारे में मैसर्स एस. लाल एण्ड कं० लि० बारबिल (उड़ीसा) की जिल्सीगलंगलोटा लोह ग्रयस्क खान के प्रबंधन से सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मचारों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना बांछनीय समझती है;

प्रतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उप-धारा (1) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री जे. एल. मोहपात्रा होंगे, जिनका मुख्यालय भुवनेश्वर में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

“क्या मैसर्स एस. लाल एण्ड कं० लि०, बारबिल (उड़ीसा) की जिल्सीगलंगलोटा लोह ग्रयस्क खान के प्रबंधन की श्री किन्हुटा

टैडी, चौकीदार, की सेवाओं को 4-5-83 से समाप्त करने की कार्य-वाही न्यायोचित है? यदि नहीं, तो संबंधित कर्मकार किस अनुतोष का हकदार है?"

[सं० एल-26012/27/83-डी-3 (बी)]

### ORDER

New Delhi, the 21st February, 1984

S.O. 1258.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Jilling Langanota Iron Ore Mine of Messrs S. Lal & Co. Ltd., Barbil (Orissa) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by Section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri J. M. Mohapatra shall be the Presiding Officer, with headquarters at Bhubaneswar and refers the said dispute for adjudication to the said Tribunal.

### SCHEDULE

Whether the action of the management of Jilling Langanota Iron Ore Mines of Messrs S. Lal & Co., Ltd., Barbil (Orissa) in dismissing from service Shri Baikuntha Tanty, Chowkidar, with effect from 4-5-1983 is justified? If not, to what relief is the workman concerned entitled?

[No. L-26012/27/83-D. III(B)]

आदेश

नई दिल्ली, 21 मार्च, 1984

का० प्रा० 1259:—केन्द्रीय सरकार की राय है कि इससे उपाखण्ड अनुसूची में विनिर्दिष्ट विषय के बारे में सिंगरैनी कोलियरीज क० लि०, कोठागुडियम के प्रबंधन से सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मकारों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्वेशित करना बांछनीय समझती है;]]

मतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (1) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री एम. श्रीनिवास राव होंगे, जिसका मुख्यालय हैदराबाद में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्वेशित करती है।

अनुसूची

"क्या मैमर्स सिंगरैनी कोलियरीज क० लि०, कोठागुडियम के प्रबंधन का खानों में काम कर रहे चपरासियों को बर्दियां देने से हटकार करना न्यायोचित है, विशेष रूप से अब के मुख्यालय में नियोजित चपरासियों को बर्दियां दे रहे हैं? यदि नहीं, तो खानों के चपरासी किस अनुतोष के हकदार हैं?"

[सं० एल-22012/111/83-डी-3 (बी)]

नन्द लाल, प्रवर सचिव

### ORDER

New Delhi, the 21st March, 1984

S.O. 1259.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Singareni Collieries Co. Ltd., Kothagudium Division and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of the section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri M. Srinivasa Rao shall be the Presiding Officer, with headquarters at Hyderabad and refers the said dispute for adjudication to the said Tribunal.

### SCHEDULE

Whether the management of Messrs Singareni Collieries Co. Ltd., Kothagudium are justified in refusing supply of uniforms to Peons working at Mines especially when they are providing uniforms to those employed in the Head Office? If not, to what relief are the Peons in the Mines entitled?

[No. L-22012/111/83-D.III(B)]

NAND LAL, Under Secy.

